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Letter dated 6 August 2019 from the Panel of Experts established pursuant to resolution 2374 (2017) on Mali addressed to the President of the Security Council

The members of the Panel of Experts established pursuant to resolution 2374 (2017) on Mali and extended pursuant to resolution 2432 (2018) have the honour to transmit herewith, in accordance with paragraph 4 of resolution 2432 (2018), the final report on the Panel's work.

The report was submitted to the Security Council Committee established pursuant to resolution 2374 (2017) concerning Mali on 15 July 2019 and was considered by the Committee on 26 July 2019.

The Panel should be grateful if the report would be brought to the attention of the members of the Security Council and issued as a document of the Council.

(Signed) Ruben **de Koning**
Coordinator

Panel of Experts on Mali established pursuant to resolution 2374 (2017)

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Final report of the Panel of Experts established pursuant to resolution 2374 (2017) on Mali and extended pursuant to resolution 2432 (2018)

Summary

Contrary to the commitments they made after the re-election of President Ibrahim Boubacar Keita in August 2018, the signatory parties have not accelerated the implementation of the 2015 Agreement on Peace and Reconciliation in Mali. Apart from the signing of two pieces of enabling legislation and a start in integrating former combatants into the army that had been delayed six months, fundamental institutional reforms were interrupted following the resignation of the Prime Minister and his Government on 18 April 2019. General disarmament, demobilization and reintegration has not been started for 63,000 registered combatants.

Escalating violence in the centre of the country and mass protests in Bamako led to the resignation of Prime Minister Soumeylou Boubèye Maïga, who was widely considered to have given new impetus to the Agreement. The new Government decided on an inclusive political dialogue to arrive at consensual solutions on how to overcome the institutional and security crises, but failed to appoint ministers from the signatory armed groups. Considering widespread popular resentment against the Agreement, it remains to be seen whether the dialogue will garner the necessary political support.

Losing terrain to terrorist armed groups, key leaders of the Plateforme des mouvements du 14 juin 2014 d'Alger and the Coordination des mouvements de l'Azawad (CMA) armed groups, as well as the dissident Mouvement pour le salut de l'Azawad of the Daoussak (MSA-D), attempted in late 2018 to create a coordination mechanism to address security challenges, in parallel to the Agreement and while awaiting the reconstituted army and its redeployment to the north. However, being undermined by inter- and intra-group rivalries and the collusion of certain elements with the terrorists, the initiative was short-lived. Colluding strategies between Jama'a Nusrat ul-Islam wa al-Muslimin (JNIM, listed under QDe.159) and elements of the Haut Conseil pour l'unité de l'Azawad (HCUA), which is part of CMA, were particularly visible during the conflict with MSA-D in Ménaka in 2018 and in Talataye during the first half of 2019.

Rivalry within the Mouvement arabe de l'Azawad (MAA)-Plateforme complicated the implementation of the Agreement and contributed to the failure of the coordination initiative. Seeking to establish hegemony to advance personal interests and those of their Lehmar Arab community in Gao, MAA-Plateforme leaders Mohamed Ould Mataly (MLi.008) and Hanoune Ould Ali removed their counterpart from Timbuktu, Moulaye Ahmed Ould Moulaye, from the Agreement Monitoring Committee. Meanwhile, their ally, Plateforme spokesperson, Harouna Toureh, overruled Ould Moulaye's list of combatants for the mixed units of the Operational Coordination Mechanism in Timbuktu, most of whom are supposed to be integrated into the Malian armed forces.

The personal interests of the Lehmar Arab leaders centre around the narcotics trade, much of which is conducted by Mohamed Ben Ahmed Mahri (MLi.007), alias Mohamed Rouggy. The latter is implicated in multimillion-dollar trafficking of cannabis resin and cocaine that pass or are intended to pass through Mali, which has led to successive seizures in the Niger, Morocco and Guinea-Bissau. Members of both the Plateforme and CMA (or claiming to be) are involved in transporting the same shipments at different stages of the trafficking route through Mali. Armed group interests in organized crime provide an additional motivation to disrupt or slow down

the implementation of the Agreement, particularly security sector reforms needed before redeploying the reconstituted Malian armed forces in the north.

The humanitarian situation is most dire in the centre of the country, with an unprecedented number of civilian killings during attacks in the first half of 2019, generating displacement and refugee streams to Burkina Faso, the Niger and even Mauritania. In Kidal, an administrative *Bureau* established by CMA compromised humanitarian neutrality and access by imposing illegitimate regulatory constraints on humanitarian actors under the threat of violence and expulsion. The head of the humanitarian commission of the *Bureau*, Ahmed Ag Albachar (MLi.004), has also usurped humanitarian assistance.

In the wider Sahel region, violent attacks by jihadist and affiliated criminal groups continued to escalate, pitting communities against one another. In addition to Mali, Burkina Faso and the Niger are the most affected. Countries in the region are increasingly concerned about new terrorist connections across Africa and the new focus of global jihadist organizations on the destabilization of West Africa and the Sahel region. Uncontrolled movements of people seeking migration or employment, including in booming artisanal mining, may facilitate such connections.

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* Circulated in the language of submission only and without formal editing.

I. Background

Mandate, travel and cooperation

1. By its resolution [2432 \(2018\)](#), the Security Council decided to renew until 31 August 2019 the measures set out in paragraphs 1 to 7 of resolution [2374 \(2017\)](#). The sanctions regime established by resolution [2374 \(2017\)](#) consists of a travel ban and an asset freeze applying to individuals and/or entities designated by the Committee established pursuant to resolution [2374 \(2017\)](#) concerning Mali as being responsible for or complicit in, or having engaged in, directly or indirectly, actions or policies that threaten the peace, security or stability of Mali. In resolution [2432 \(2018\)](#) the Council requested the Secretary-General to re-establish the Panel of Experts, extending its mandate, as set out in paragraphs 11 to 15 of resolution [2374 \(2017\)](#), until 30 September 2019.
2. Between November 2018 and June 2019, the Panel undertook eight missions in Mali, including domestic travel to Timbuktu, Ménaka, Gao, Kidal and Ansongo. In addition to Mali, the Panel visited the Niger from 5 to 13 December 2018, Burkina Faso from 7 to 9 January 2019, France on 4 and 5 March 2019, Mauritania from 17 to 21 March 2019, France on 4 and 5 April 2019, Morocco from 20 to 22 May 2019, Senegal from 22 to 26 May 2019 and Guinea-Bissau from 22 to 24 May 2019. The Panel would like to express its sincere appreciation to the respective Governments for accommodating its visits.
3. The Panel is also thankful for the overall logistical support of the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) and, more specifically, the Joint Mission Analysis Cell, the Panel's focal point within the Mission, and for the security arrangements by the Department of Safety and Security. However, the Panel would like to express its deep concerns following the arrest and detention by a Member State, for 56 days, of an expert on mission while on official duty, in violation of his privileges and immunities.¹ The Panel would like to recall that in paragraph 15 of its resolution [2374 \(2017\)](#), the Security Council urged all Member States involved to ensure the safety of the members of the Panel of Experts and unhindered access, in particular to persons, documents and sites in order for the Panel of Experts to execute its mandate.
4. In terms of exchange of information with MINUSMA, at the time of writing of the present report, the Panel had not received from MINUSMA information regarding per diem payments by the peacekeeping mission to sanctioned individual Mohamed Ousmane Ag Mohamedoune (Mli.003), which was requested after having witnessed such payment on 13 June 2019 in Bamako. After his sanctions designation on 20 December 2018, the Panel stressed to senior management and the legal team of MINUSMA on multiple occasions that even though individuals sanctioned in December were not yet under asset freeze, any financial, operational or logistical support to sanctioned individuals would represent a violation of designation criterion 8 (c) of resolution [2374 \(2017\)](#), until their removal and without prejudice to exemptions provisions.

¹ On 12 April 2019, the spokesperson of the Secretary-General declared: "The arrest and detention by the Tunisian authorities of Moncef Kartas, a member of the Security Council Sanctions Panel of Experts on Libya, while he was performing his official functions is a matter of very grave concern. [...] Mr. Kartas is an Expert on mission for the UN and enjoys specific privileges and immunities under Article VI, Section 22 of the Convention on the Privileges and Immunities of the UN."

5. During the plenary session of the Agreement Monitoring Committee in April 2019, the President of the Committee announced that per diem payments to Ag Mohamedoune had been suspended in view of resolution [2374 \(2017\)](#).

6. During its mandate, the Panel addressed a further 24 official communications to Member States, international organizations and private entities, receiving various levels of response to its requests (see annex 1).

Methodology

7. The Panel endeavours to ensure compliance with the standards recommended by the Informal Working Group of the Security Council on General Issues of Sanctions in its December 2006 report (see [S/2006/997](#), annex). While it intends to be as transparent as possible, in situations where identifying sources would expose them or others to unacceptable safety risks, the Panel withholds identifying information.

8. The Panel is equally committed to the highest degree of fairness and will endeavour to make available to parties, where appropriate and possible, any information in the report for which those parties may be cited, for their review, comment and response within a specified deadline.

9. The Panel safeguards the independence of its work against any effort to undermine its impartiality or create a perception of bias. The Panel approved the text, conclusions and recommendations in the present report based on consensus prior to its transmission to the President of the Security Council.

II. Agreement on Peace and Reconciliation in Mali: violations, obstructions and progress

A. Ceasefire violations

10. The Panel welcomes the significant increase in the use of the different mechanisms related to the Technical Commission on Security and, more specifically, the implementation of the Panel's recommendation in its previous final report ([S/2018/581](#)) that the joint observation and verification teams systematically investigate all reports of ceasefire violations. The Panel also welcomes the commitment of the President of the Technical Commission to accelerating the deployment of the joint observation and verification teams when required and to building up their investigative capacities and techniques, as stated at the 37th meeting of the Technical Commission, on 6 June 2019.²

11. The renewed role of the joint observation and verification teams in providing the Technical Commission on Security with investigative field reports has been particularly useful, notably in the context of ceasefire violations committed by the Coordination des mouvements de l'Azawad CMA and the Mouvement pour le salut de l'Azawad of the Daoussak (MSA-D) in the Talataye area. The Panel considers that although MSA is not a signatory armed group, its recognition as a compliant armed group implies that it effectively complies with all provisions of the Agreement and rules decided upon by the Technical Commission. Therefore, both attacks in Talataye, by MSA on CMA on 3 May 2019 and by CMA on MSA on 15 May 2019, reported by the joint observation and verification teams to the Technical Commission on 6 June 2019, and the attack in Agar-n-Adamous by CMA on MSA on 24 June 2019, reported

² Minutes of the 37th meeting of the Technical Commission on Security, 6 June 2019, archived at the Secretariat.

by the joint observation and verification teams to the Technical Commission on 5 July 2019, should be considered violations of the ceasefire and brought to the attention of the Agreement Monitoring Committee.

12. International forces consider that CMA in Kidal intended, until the end of 2018, to comply with the rules of the Technical Commission on Security regarding movements in convoys of more than five vehicles and transport of collective weapons;³ however, this pattern has changed since January 2019 with the escalation of tension in Talataye. During the month of May 2019, international forces observed several violations of Technical Commission rules, with an increase in unauthorized movements of pickup trucks leaving or entering Kidal at high speed in small groups, sometimes after dawn.

13. Despite this change of attitude, international forces have not yet implemented a centralized process of reporting and registration of information related to ceasefire violations, nor have they systematically informed the Technical Commission on Security of such incidents. In addition, the Panel is not aware of such monitoring being implemented in Gao or Timbuktu. The Panel welcomes the recall at the 38th meeting of the Technical Commission, on 5 July 2019, of the binding nature of the already agreed rules, and the further clarifications to be discussed at the next session.

B. National political and security context of the implementation of the Agreement on Peace and Reconciliation in Mali

Violence in the centre of Mali and resignation by the Government

14. Ever-escalating cycles of violence in the Mopti region in the centre of the country during the first half of 2019 risk sidetracking the implementation of the Agreement. While not related, a complex terrorist attack on a Malian armed forces camp in Dioura on 17 March 2019 was followed by the deadliest attack in the country since 2012 when, on 23 March, Dogon militia killed at least 157 Fulani civilians in Ogossagou village. The attack sparked reprisal attacks against Dogon civilians on 9 and 17 June in the villages of Sobanou-Kou, Yoro and Gangafani, killing almost an equal number of civilians.

15. The dismissal of the army Chief of Staff and the Government-proclaimed dissolution of Dan Nan Ambassagou, the main Dogon militia group, did not prevent demonstrations against the Government's mismanagement of the situation in the centre of the country. On 5 April, an estimated 15,000 people took to the streets in Bamako following calls from religious leaders as well as representatives of political opposition parties and civil society organizations.⁴ On 17 April, a day after the ruling political party together with the opposition filed a non-confidence motion, Soumeylou Boubèye Maïga and his cabinet resigned.

16. Appointed on 22 April, the first action of the new Prime Minister, Boubou Cissé, was to sign a year-long "governing political agreement" with political actors on 2 May, with a view to enhancing inclusive governance. On 5 May, President Keita appointed a 38-member cabinet, including eight women, but with no members from the compliant armed groups despite the commitment to include ministers from CMA and the Plateforme des mouvements du 14 juin 2014 d'Alger. Several members of the previous Government were reappointed, notably, the Minister of Social Cohesion, Peace and National Reconciliation, Lassine Bouaré, who coordinates the Government's efforts to implement the Agreement. Several prominent political

³ Operation "Farrier", launched on 11 November 2017, is mandated to enforce the rules of the Technical Commission on Security.

⁴ See S/2019/454, para. 4.

opposition leaders, notably Soumaila Cissé, have not joined the governing political agreement. Armed movements signatory to the Agreement considered the initiative as concerning solely political parties and were not included in its drafting.

Delayed constitutional reforms, elections and “inclusive political dialogue”

17. In November 2018, the Government announced a constitutional referendum for March 2019, parliamentary elections for May 2019, senate elections for July 2019 and local elections for November 2019. None of them were held. The electoral calendar has now been scrapped, pending an “inclusive political dialogue” between the Government and all political actors.

18. On 1 April 2019, three weeks before the Government resigned, a committee of experts⁵ for constitutional review submitted its constitutional reform proposal to the President.⁶ The proposal is expected to go through Parliament before being submitted to a referendum. To that end, on 27 June 2019, the Parliament endorsed a government-proposed bill extending the mandate of the current legislature for a second time, expiring 2 May 2020. On 12 June 2019, a group of opposition political parties and associations formed a movement called “*An Tala Anko An Faso*” seeking to defend the Constitution by opposing a second extension of the National Assembly’s mandate and the constitutional reform proposal.⁷

19. The inclusive political dialogue is presented as an overarching framework for consensual decisions on political reforms,⁸ including the revision of the 1992 Constitution, decentralization legislation and new timelines for a referendum and legislative, regional and local elections. Hence, the inclusive political dialogue is critical for the implementation of the Agreement.⁹

20. The Council of Ministers of 7 June 2019 announced the appointment, by the President, of three leading figures to oversee the inclusive political dialogue: Baba Akhib Haïdara,¹⁰ current Mediator of the Republic; former Prime Minister Ousmane Issoufi Maïga;¹¹ and Aminata Dramane Traoré, another former Minister and outspoken gender activist.¹² A technical committee, led by Cheick Sidi Diarra, will also be established.

⁵ The Committee was composed of 11 members (9 men and 2 women) and presided over by Professor Mankan Moussa Sissoko.

⁶ The draft text of a new Constitution provides for, among other things, the creation of a Senate and an enhanced role for traditional institutions, as well as a revamped decentralization. The committee of experts held wide consultations, undertook field visits and organized specific technical discussions with signatory movements parties to the Agreement.

⁷ The *An Tala Anko An Faso* comprises more than 15 political parties and other movements. See Bamada.net, “Front contre la prorogation du mandat des députés Une vingtaine de partis politiques, d’associations et de mouvements se dressent contre le projet de loi organique”, 13 June 2019, available at <http://bamada.net/front-contre-la-prorogation-du-mandat-des-deputes-une-vingtaine-de-partis-politiques-dassociations-et-de-mouvements-se-dressent-contre-le-projet-de-loi-organique>.

⁸ Radio France Internationale, “Tiébilé Dramé (ministre malien des AE): «Volte-face? Non. Union sacrée», 20 May 2019, available at <http://www.rfi.fr/emission/20190520-tiebile-drame-mali-volte-face-union-sacree-gouvernement>.

⁹ Article 2 of the governance political agreement lists the Agreement as being the second in line of the Government’s priorities.

¹⁰ Baba Akhib Haïdara was appointed “Médiateur de la République” by the current Malian President in 2013.

¹¹ Ousmane Issoufi Maïga was appointed Minister and Prime Minister several times. He is currently the president of a Songhai association called “Ir Ganda”, meaning “Our lands”.

¹² Aminata Dramane Traoré is a former Minister of Culture who resigned and has been vocal and critical regarding several government policies and interventions by international forces in Mali.

Limited progress and lack of a new road map for the implementation of the Agreement

21. The level of execution of the road map for implementation of 22 March 2018 was reviewed at the high-level meeting of the Agreement Monitoring Committee held on 17 June 2019. Of the 21 planned actions, 7 were rated “green”, meaning either at an advanced stage or fully implemented, 5 were “red”, meaning they had not been started and 9 were “yellow” or “orange”, meaning they were in the process of being implemented (see annex 2).

22. In a statement by the President of the Security Council dated 3 April 2019 and in paragraph 1 of resolution [2480 \(2019\)](#), the Malian parties were urged to sign without delay a revised road map. The timelines for priority actions in the road map have lapsed, notably those concerning general disarmament, demobilization and reintegration, while certain priority actions such as territorial restructuring have been abandoned (see para. 41). Despite the October 2018 Pact for Peace signed between the United Nations and the Government of Mali and endorsed by compliant armed groups to accelerate the implementation of the Agreement in the months ahead, progress has been limited to the signing of two pieces of legislation (see paras. 38 and 55) and a start in accelerated disarmament, demobilization and reintegration/army integration via the Operational Coordination Mechanism that had been delayed six months (see para. 45).

23. While discussed, no new road map was adopted at the high-level meeting of 17 June. Minister Lassine Bouaré insisted on completing constitutional reforms, operationalizing the interim authorities, finalizing the general disarmament, demobilization and reintegration process, redeploying the reconstituted armed forces and financing the northern development zone. These priority actions are very much in line with the benchmarks spelled out in paragraph 4 of resolution [2480 \(2019\)](#), which are to be completed before the end of the renewed mandate of MINUSMA.

Disaccord hampering the implementation of the Agreement

CMA walks out on the intra-Malian consultations

24. On 15 March 2019, CMA suspended its participation in the intra-Malian consultation framework that Minister Lassine Bouaré had initiated since his appointment in September 2018 to strengthen national ownership and accelerate the implementation of the Agreement. The suspension by CMA came in protest against two Government decrees of 8 March 2019 authorizing the creation of special forces to be deployed in an operation called “Dambé” with the objective of regaining military control of areas in the Ségou, Mopti, Timbuktu, Gao, Kidal, Taoudenni and Ménaka regions.¹³ As it had argued earlier in relation to Operation Koufra in 2018, CMA considers such deployment of force a violation of the Agreement because it precedes the reconstitution of the armed forces.

Rivalry within the Plateforme

25. Regarding the Plateforme, rivalries within the Mouvement arabe de l’Azawad (MAA) hampered meetings of the Agreement Monitoring Committee and generated prolonged delays in the accelerated disarmament, demobilization and reintegration/

¹³ The Carter Center, “Report of the Independent Observer: observations on the implementation of the Agreement on Peace and Reconciliation in Mali, emanating from the Algiers Process”, April 2019.

integration process (see para. 45). These rivalries also jeopardized the overall ability of the Plateforme coalition to implement the Agreement in a coordinated way.¹⁴

26. On 25 January 2019, Ahmed Ould Sidi Mohamed, Secretary-General of MAA-Plateforme based in Nouakchott, signed an undisclosed letter designating Hanoune Ould Ali Mahari as his replacement in the Agreement Monitoring Committee in the case of his absence (see annex 3). On 1 February 2019, the Secretary-General of MAA-Plateforme then appointed himself as the new representative of the movement to the Committee, effectively replacing Moulaye Ahmed Ould Moulaye. The latter contested the decision with the support of MAA-Plateforme local groups in the Timbuktu region.

27. In February, March and April 2019, the activities of the Agreement Monitoring Committee and the integration process of the Operational Coordination Mechanism were clogged by this dispute. During its April session, the President of the Agreement Monitoring Committee intervened by upholding the decision of the Secretary-General of MAA-Plateforme and requested Ould Moulaye to vacate his position. The same day of the meeting, 15 April 2019, the Secretary-General of the Groupe d'autodéfense des Touaregs Imghad et leurs alliés (GATIA), Fahad Ag Almahmoud, denounced the decision of the Agreement Monitoring Committee and suspended its participation in the accelerated disarmament, demobilization and reintegration process until the matter was clarified (see annex 4).

28. On 16 June 2019, Ag Almahmoud decided to recreate the Plateforme around its main component, GATIA, with splinter groups led by Abdourahmane Maïga of the Coordination des mouvements et fronts patriotiques de résistance and Ould Moulaye for the Timbuktu part of MAA-Plateforme, excluding de facto Harouna Toureh and the MAA-Plateforme of Hanoune Ould Ali (see annex 5).

29. The Panel received credible information confirming that Mohamed Ould Mataly (MLi.008), member of the National Assembly and representative of MAA-Plateforme in the Agreement Monitoring Committee, orchestrated and facilitated the return of Ahmed Ould Sidi Mohamed and the removal of Ould Moulaye from the Committee¹⁵ to enhance his personal influence and that of Hanoune Ould Ali Mahara.

30. It should be noted here that on behalf of the Plateforme, Ould Moulaye signed the report on the conclusions of the December 2018 high-level meeting on defence and security issues, which encompassed a harmonized vision of the reconstituted army. On behalf of CMA, Mohamed Ag Najim (see para. 81), former CMA military Chief of Staff, signed the report. Following the next high-level meeting on the same topic, held on 8 and 9 April 2019, Plateforme spokesman, Harouna Toureh, protested Plateforme's representation during the meeting. According to Ould Moulaye, Toureh intends to put a brake on the discussions related to security sector reform.

Rising popular resentment against the Agreement

31. During the reporting period, the Panel noted a sharp rise in the manipulation of popular resentment against the Agreement. Political actors, opinion leaders, community activists and media have portrayed the Agreement as a reward to minority communities from the north that would threaten the territorial integrity of Mali and render other communities vulnerable. For example, on 21 May 2019, a sitting Member of Parliament of the ruling party, Moussa Diarra, published in Malian newspapers an open letter stating: "Mali is left to the whims of a minority of its population that

¹⁴ Ibid.

¹⁵ Meetings with confidential sources, Bamako, 16 and 17 April 2018.

instead of serving their homeland, rather undermine its social cohesion and its foundations.”¹⁶

32. During the public demonstrations that led to the resignation of Soumeylou Boubèye Maïga as Prime Minister, protesters were reported to have proclaimed that the Agreement favoured certain communities.¹⁷ On 17 June 2019, an estimated 300 people marched against MINUSMA and international forces in Sévaré, Mopti region, declaiming hostile slogans, including against the Agreement.¹⁸ In a public statement of 21 June, three Malian associations portrayed the Agreement as gradually causing the partition of Mali and giving power to separatists.¹⁹

33. Negative perceptions of the Agreement are becoming widespread, including within public institutions. A media article of 20 February 2019 depicted a hostile attitude on the part of certain sections of the Malian armed forces towards the reintegration of former rebels into the army and other public services.²⁰ In February 2019, 18 former deserters left their accommodation at the Gendarmerie school in Faladié because they had been labelled as traitors and humiliated by other soldiers.²¹ The Panel received corroborating accounts of growing resentment within Malian defence and security forces against the reintegration of elements of armed movements into the army and other services.²²

34. Compliant armed groups have inadvertently contributed to this rise in negative public perceptions of the Agreement, as illustrated by media reports following the decision issued by CMA on 30 January regarding Kidal that concerned the control of foreigners, the sale of alcoholic drinks and the administration of justice (see annex 6). The front page of one Malian newspaper read: “CMA assumes the prerogatives of the Malian State: The liberation of Kidal inevitably will come through war.”²³ Several

¹⁶ Bamada.net, “Lettre ouverte du Député Moussa Diarra à Emmanuel Macron”, 21 May 2019, available at <http://bamada.net/lettre-ouverte-du-depute-moussa-diarra-a-emmanuel-macron>.

¹⁷ Confidential reports of April 2019. In May 2019, similar statements were heard during public demonstrations against the proposal to have the headquarters of the Joint Force of the Group of Five for the Sahel in Bamako.

¹⁸ Confidential report of 19 June 2019.

¹⁹ On 21 June 2019, three Malian associations, namely, Association Gao Lama Borey, Association Songhoï Ganda Borey and Coalition contre la partition du Mali IGDAH MALI TÈ TILA issued a public statement rebuking the President’s public statement on the fourth anniversary of the Agreement. See Bamada.net, “Trois associations réagissent au discours d’IBK à l’occasion des 4 ans de l’accord de paix”, 26 June 2019, available at <http://bamada.net/trois-associations-reagissent-au-discours-dibk-a-loccasion-des-4-ans-de-laccord-de-paix-nous-naccepterons-pas-une-revision-de-la-constitution-tant-que-le-m>.

²⁰ Bamada.net, “Reintégration des officiers déserteurs: les FAMAS refusent de leur faire des honneurs”, 20 February 2019, available at <http://bamada.net/reintegration-des-officiers-deserteurs-les-famas-refusent-de-leur-rendre-les-honneurs>.

²¹ Meeting with confidential sources, Bamako, 19 April 2019.

²² Meetings with confidential sources, Bamako, 19 and 21 April 2019.

²³ Maliplume, “La CMA s’arroge les prérogatives du Gouvernement malien: La libération de Kidal passe inévitablement par la guerre”, no date, available at <https://maliplume.com/la-cma-sarroge-les-prerogatives-du-gouvernement-malien-la-liberation-de-kidal-passe-inevitablement-par-la-guerre/>; other media called the decision an attempt to implement sharia law in Kidal, see Notre Voie, “Tentative d’application de la charia à Kidal: La CMA courtise les jihadistes”, 27 February 2019, available at <https://www.malipedia.info/index.php/2019/02/27/tentative-dapplication-de-la-charia-a-kidal-la-cma-courtise-les-jihadistes/>. In other newspapers, it was stated that “clearly Kidal is no longer part of Mali”, see La Preuve, “Nouvelles mesures de sécurisation de la ville de Kidal: La laïcité du Mali remise en cause!”, 26 February 2019, available at <https://www.maliweb.net/la-situation-politique-et-securitaire-au-nord/nouvelles-mesures-de-securisation-de-la-ville-de-kidal-la-laicite-du-mali-remise-en-cause-2804999.html>.

opinions considered parts of these decisions excessive and in breach of the Agreement, including the Chair of the Agreement Monitoring Committee.²⁴

35. Certain political actors used this action by CMA to inflate public fear of the Agreement. For instance, Ali Nouhoum Diallo, former president of the National Assembly, publicly argued that the CMA decision was evidence of persistent threats against Malian State territorial integrity.²⁵

36. The Panel observed the activism of ethnic identity-driven associations in a context of rising intercommunal tensions and violence and ineffective State security provision. A number of these associations voiced opposition to the Agreement, including the Alliance pour le salut du Sahel,²⁶ the Association Gao Lama Borey²⁷ and the Coalition contre la partition du Mali “IGDAH-Mali tè tila”.²⁸ The latter two co-issued the public statement of 21 June (see para. 32).

37. In his speech of 20 June 2019 in commemoration of the fourth anniversary of the Agreement, President Keita pinpointed the problem of growing public resentment towards the Agreement; he called upon all Malians to stop seeing enemies in those who were there to help and pleaded with the Malian people that the Agreement was not anti-national.²⁹

²⁴ Later on, the CMA leadership issued public statements clarifying that its decision was not intended to replace the Malian State. See Radio France Internationale Afrique, “Nouveau règlement de la vie publique à Kidal: la CMA rétropédale”, 19 February 2019, available at <http://www.rfi.fr/afrique/20190219-nouveau-reglement-kidal-cma-retropedale>. However, the damage was already done in terms of public perceptions of the Agreement and the goodwill of armed movements.

²⁵ Le Républicain, “Pr. Ali Nouhoum DIALLO, Ancien Président de l’Assemblée Nationale du Mali, Ancien Président du Parlement de la CEDEAO: La révision constitutionnelle n’est pas la priorité du moment pour le peuple malien”, 26 April 2019, available at http://malijet.com/les_faits_divers_au_mali/lettres_ouvertes_mali/226533-professeur_ali_nouhoum_diallo_ancien_assemblee_ancien_.html.

²⁶ The Alliance pour le salut du Sahel emerged in late 2018, claiming to defend the Fulani population against repeated attacks in the centre of Mali and Burkina Faso. Its leader, nicknamed Bacar Saw, has claimed numerous attacks on Dogon civilians, including in Bouma. See Radio France Internationale Afrique, “Mali: deux nouveaux groupes d’autodéfense voient le jour dans le centre”, 28 March 2019, available at <http://www.rfi.fr/afrique/20180524-mali-deux-nouveaux-groupes-autodefense-voient-le-jour-le-centre> and Mondafrique, “Après le massacre d’Ogossagou, notre entretien avec un chef Peul armé », 25 March 2019”, available at <https://mondafrique.com/mali-notre-entretien-avec-le-chef-peul-dune-milice-armee/>.

²⁷ Created in January 2018, the Association Gao Lama Borey on 16 October 2018 publicly opposed the territorial and administrative restructuring in Gao, arguing that minorities in the north were being overrepresented in the General Assembly. See Malitnet, “Communiqué de presse Association Gao Lama Borey-Bamako”, 22 October 2018, available at <http://www.malinet.net/editorial/communique-de-presse-asociation-gao-lama-borey-bamako/>.

²⁸ The president of this association created in 2018, Abdel Kader Maiga, addressed a letter to the Government on 13 December 2018 questioning the “Pact for Peace in Mali”. He also called territorial restructuring a bomb to end Mali as a unified country. See Maliweb, “Coalition contre la partition du Mali « IGDAH-Mali tè tila » demande de clarification au sujet du « Pacte pour la Paix au Mali », 16 December 2018, available at <https://www.maliweb.net/contributions/coalition-contre-la-partition-du-mali-igdah-mali-te-tila-demande-de-clarification-au-sujet-du-pacte-pour-la-paix-au-mali-2792865.html>.

²⁹ Available at <https://malijet.com/communiqués-de-presse/228969-discours-du-president-de-la-republique-a-l-occasion-du-4e-annive.html>, 20 June 2019.

C. Political and institutional component

Operationalization of the interim authorities

38. On 27 March 2019, President Keita signed a decree defining the modalities of the transfer of competencies to councils at the regional, *cercle* (district) and municipal levels.

39. Regional interim authorities in the north of Mali are progressively channelling financial resources to identified projects from different funding streams, namely, the National Fund for Assistance to Territorial Collectivities and the second phase of the European Union-funded project “Security and development in northern Mali”.³⁰ According to representatives of interim authorities in Gao and Kidal, the level of resource mobilization improved compared with the situation reported by the Panel in its previous final report, when only the Timbuktu region managed to mobilize funds for projects. Yet, in Kidal, the overall return of Government services is lagging compared with Gao and Timbuktu in terms of teachers and health-care services.³¹

40. Heralded as a significant achievement in July 2018, the establishment of interim authorities at the *cercle* level continues to be hampered by rivalry in Taoudenni³² and, where they have been established, their operationalization has been piecemeal.³³ A total of \$1.2 million was allocated to the 21 councils at the *cercle* level to support the development of their priority action plans (see S/2019/454, para. 11). In comparison, Government and donor project funding for the regions amounted to \$24 million (see annex 2).

Administrative restructuring

41. A revision of the decentralization legislation³⁴ promulgated on 2 October 2017 will take place only after a constitutional review and legislative elections. Meanwhile, another priority action contributing to decentralization, namely, territorial restructuring, was put on hold after protests in Gao in November 2018. The new Minister for Territorial Administration and Decentralization has expressed reservations about the feasibility and need for territorial restructuring.³⁵

42. In its 2019 midterm report (S/2019/137), the Panel referred to the sabotage of local consultations on territorial restructuring in Gao between 14 and 18 November 2018 by the Plateforme-associated groups, namely, the Coordination des mouvements et fronts patriotiques de résistance I and II.

43. The Panel received information and evidence that MAA-Plateforme under the command of Mahri Sidi Amar Ben Daha (MLi.006), alias Yoro Ould Daha, participated in the protest. Ben Daha, who is deputy regional commander of the Operational Coordination Mechanism in Gao, told the Panel that he had authorized his forces to take part in the demonstrations. At least six MAA-Plateforme pickups blocked the roundabout in front of the Governor’s office, preventing access to the premises where consultations were supposed to take place. In the night from 17 to

³⁰ “Etat d’exécution des ressources financières et point du renforcement des capacités en ressources humaines des autorités intérimaires et collèges transitoires, exercice 2018”, Government document, archived at the Secretariat.

³¹ See also the report of the Independent Observer (footnote No. 13).

³² See S/2019/137, annex 5.

³³ Meeting with the interim authorities of the Gao region, 4 June 2019; and meeting with a member of the interim authority in Kidal, Bamako, 13 June 2019.

³⁴ *Code des collectivités territoriales* and *Loi portant conditions de la libre administration des collectivités territoriales*. Unpublished Government documents, archived at the Secretariat.

³⁵ Meeting with Minister Boubacar Alpha Bah, Bamako, 12 June 2019.

18 November 2018, MAA-Plateforme combatants nearly clashed with the Malian armed forces patrolling in the town.

44. Ben Daba coordinated the participation of MAA-Plateforme in the protest, together with MAA-Plateforme political leader Hanoune Ould Ali Mahara as well as Member of Parliament Mohamed Ould Mataly.³⁶ Via the Malian Minister of Territorial Administration and Decentralization, the latter communicated to Malian authorities in Gao that Malian armed forces should stay away from the Governorate to avoid any clashes. Ould Mataly claims that there was no instruction from Bamako to take part in the protest and that he instead tried to appease the situation.³⁷

D. Security and defence component

Disarmament, demobilization and reintegration and army integration

45. Initiated on 6 November 2018, the accelerated disarmament, demobilization and reintegration and integration process through the Operational Coordination Mechanism incurred prolonged delays largely as a result of mismanaged medical screening in Kidal, as well as disagreement within the Plateforme over participating combatants in Timbuktu region. As a result, the benchmark set out in resolution [2423 \(2018\)](#) of 1,000 combatants from signatory armed groups to be integrated into the Malian armed forces within six months of the presidential inauguration, 20 August 2018, was not met. It took until the week of 10 June 2019 for the 1,250³⁸ registered and screened combatants to be taken to training centres in the south of the country to commence a three-month training session before being fully integrated.³⁹

46. Owing to a lack of X-ray and laboratory equipment, the medical screening of 400 combatants in Kidal during the first phase of registration in November 2018 was not completed. Nevertheless, on 17 January 2019, the president of the national integration commission responsible for medical screening, military tests and orientation of combatants, General Gabriel Poudiougou, told the media that the results had been communicated to the Ministry of Defence so that it could take appropriate measures and that those found medically unfit would return to the National Disarmament, Demobilization and Reintegration Commission to benefit from socioeconomic reinsertion packages.⁴⁰ Soon after, a list of medically unfit combatants for Kidal, 197 out of 400,⁴¹ was circulated on social media. In response, on 1 February, Plateforme and CMA battalion commanders issued a letter rejecting the results (see annex 7).

47. The mismanagement of the process in Kidal eroded the trust of armed movements in an objective screening process and further delayed the disarmament, demobilization and reintegration, as CMA and Plateforme demanded counter-expertise not only in Kidal, but also in the Timbuktu and Gao regions. During a high-

³⁶ Meetings with confidential Government source, Gao, 15 and 18 February 2019; and meeting with confidential civil society source, Gao, 19 February 2019.

³⁷ Meeting with Mohamed Ould Mataly, Bamako, 17 April 2019.

³⁸ Minutes of the 37th meeting of the Technical Commission on Security, 6 June 2019, archived at the Secretariat.

³⁹ Between January and the end of May 2019, 539 former members of the Malian defence and security forces who had deserted (see [S/2019/137](#), para. 37) were also registered and transferred to training centres in the south of the country prior to their reintegration (see [S/2019/454](#), para. 41).

⁴⁰ Le Challenger, "Général de division Gabriel Poudiougou, Président du Comité d'intégration: «36000 combattants sont recensés pour une capacité d'absorption de 8000» 17 January 2019, available at <http://mali24.info/general-de-division-gabriel-poudiougou-president-du-comite-dintegration-36000-combattants-sont-recenses-pour-une-capacite-dabsorption-de-8000/>.

⁴¹ Compared with 140 out of 515 in the Gao region and 94 out of 508 in the Timbuktu region.

level technical meeting on 22 February 2019, the President of the National Disarmament, Demobilization and Reintegration Commission declared that all combatants who had been declared unfit were entitled to such counter-expertise and that movements could designate a medical observer and liaison to monitor the process.⁴² The counter-expertise was carried out between 10 and 20 April 2019, but the results remain inconclusive, with criteria being negotiated at the time of writing of the present report for 346 medically unfit combatants.

48. In addition to government mismanagement of medical screening, intra-Plateforme rivalry (see paras. 25–30) has caused delays in finalizing its list of combatants for the Timbuktu region. On 11 December 2018, the Permanent Secretary of MAA-Plateforme, Ould Moulaye, transmitted a list of Plateforme combatants to the MINUSMA force commander presiding over the Technical Commission on Security for a catch-up phase of registration of combatants who had missed the screening in November, to take place alongside the counter-expertise of unfit combatants. However, on 25 March 2019, Plateforme spokesperson, Harouna Toureh, submitted a new and completely different list of combatants to MINUSMA.

49. After the Secretary-General of GATIA suspended the overall participation of Plateforme in the accelerated disarmament, demobilization and reintegration process on 15 April 2019 (see para. 27), MAA-Plateforme commanders in the Timbuktu region also suspended their participation.⁴³ As a result, no MAA-Plateforme elements were enrolled in the catch-up phase in April 2019, and at the 33rd meeting of the Agreement Monitoring Committee's subcommittee on defence and security, held on 14 June 2019, MAA-Plateforme and GATIA still had not submitted their disarmament, demobilization and reintegration lists for the Timbuktu region.⁴⁴

50. Regarding the general disarmament, demobilization and reintegration, 63,000 combatants had been registered by mid-March 2019,⁴⁵ while only 15,000 had been envisaged, as mentioned in the Panel's 2018 final report. Beyond registration, the National Disarmament, Demobilization and Reintegration Commission has not undertaken any further activities regarding this caseload in terms of orientation, pending clarity on available positions in the various bodies, quotas and rank and file issues.⁴⁶

Commission of crimes by elements of the Operational Coordination Mechanism

51. In Gao, Operational Coordination Mechanism combatants were involved in numerous crimes during the first half of 2019 that have largely gone without disciplinary action.

52. A common crime is theft of vehicles, including from the Operational Coordination Mechanism itself and from humanitarian organizations. Ahead of the accelerated disarmament, demobilization and reintegration, five vehicles belonging to the Mechanism in Gao disappeared. Three of those vehicles were stolen by combatants themselves, namely, Lieutenant Alaymache Ould Fall (MAA-Plateforme), Lieutenant Mohamed Ag Ibrahim (HCUA) and Mossa Ag Oye (Mouvement national pour la

⁴² Minutes of technical high-level meeting on the planning of major activities within the framework of the Agreement, 22 February 2019, archived at the Secretariat.

⁴³ Confidential report, 17 April 2019.

⁴⁴ Minutes of the 33rd meeting of the Agreement Monitoring Committee's subcommittee on defence and security, Bamako, 14 June 2019, archived at the Secretariat.

⁴⁵ The Carter Center, "Report of the Independent Observer: observations on the implementation of the Agreement on Peace and Reconciliation in Mali, emanating from the Algiers Process".

⁴⁶ On 8 April 2019, CMA refused to sign a draft decree defining rank allocation and command and control of integrated combatants from signatory movements because of issues over benefits (see S/2019/454, para. 42), as well as semantics.

libération de l'Azawad (MNLA)). The two other vehicles, belonging to the Mechanism's regional Deputy Commander, Mahri Sidi Amar Ben Daha, alias Yoro Ould Daha, were reportedly stolen by criminals. One of Yoro's vehicles and one of the three others were recovered and returned to Gao. Ag Oye was arrested in Niamey on 23 May 2019, and police cooperation has been established for his transfer to Mali.

53. On 30 May 2019, the national Gendarmerie in Gao arrested one member of the Operational Coordination Mechanism and one soldier of the Malian armed forces for an alleged carjacking of a vehicle of the International Committee of the Red Cross. They were transferred to the Malian armed forces camp but released without proper investigation after an intervention by General Gamou. On 12 June 2019, the CMA mobile security team (see para. 84) recovered the vehicle in Tinzawaten, 230 kms north of Kidal, near the Algerian border, but no one was apprehended.⁴⁷ Annex 8 contains further details on this case.

54. On 18 March 2019, Malian police in collaboration with MINUSMA tracked the thieves of iron poles from the MINUSMA camp to a nearby home, where they also discovered 7.62 mm ammunition, a GATIA flag and a Malian armed forces uniform. Operational Coordination Mechanism combatants came to the police station to claim back their ammunition, which had already been transferred elsewhere, intimidating police officers, who thereafter could not provide any details on the identity of the Operational Coordination Mechanism combatants in question.⁴⁸ Annex 8 contains additional examples of the involvement of Mechanism combatants in crimes and of interference with law enforcement to prevent legal follow-up.

E. Financing the Agreement on Peace and Reconciliation in Mali and its economic, social and cultural development component

Northern development zone

55. The adoption of legislation establishing the northern development zone has been pending since November 2018. However, in April 2019, the Government and signatory movements agreed on two draft bills to be presented to Parliament as soon as possible. The Government conducted another study visit to Norway at the end of June 2019, following the visit to China in November 2018, involving 14 members of compliant armed groups. Yet, movements questioned the added value of the visit, stressing also the internal difficulties in designating participants.⁴⁹

Sustainable development fund

56. The sustainable development fund, envisaged in the Agreement but not referenced in the March 2018 timeline, is the principal mechanism for financing the northern development zone. Enacted on 12 January 2018, the fund is currently being operationalized according to an implementing decree of 20 June 2018. Yet, it had already been included in the budget of government expenditures for the implementation of the Agreement in the period 2015–2017 (see annex 9). The Panel's enquiries with the Ministry of Economy and Finance on spending reveal how this Ministry has in the past misrepresented expenditures, misleading signatory movements and international donors and presenting an obstacle to the implementation of the Agreement.

⁴⁷ United Nations confidential report, 17 June 2019, archived at the Secretariat.

⁴⁸ Confidential report, 18 March 2018; and meeting with the police commissioner in Gao, 5 June 2019.

⁴⁹ Minutes of the meeting of the CSA subcommittee on economic, social and cultural development, 14 June 2019, archived at the Secretariat.

57. In a technical note dated 23 October 2017, the Ministry provided a budgeted amount of close to 10 billion CFA francs (\$20 million) in 2015 and more than 30 billion CFA francs (\$60 million) for both 2016 and 2017 (see annex 9). The Ministry reported to the International Monetary Fund (IMF) executed amounts of 18 billion CFA francs (\$36 million) and 24.6 billion CFA francs (\$49.2 million) in 2016 and 2017, respectively.⁵⁰

58. Following a request by the Panel to the Director General of Budget of the Ministry of Economy and Finance, Sidiki Traoré, the latter prepared an updated technical note (No. 2), dated 6 July 2018 (see annex 10). As mentioned in its 2018 final report, 13.4 billion CFA francs (\$28.8 million) was eventually spent on dam construction, electricity⁵¹ and drinking water projects in the 2015–2017 period, to be considered as advances to the fund, pending its creation. The amounts previously earmarked as “sustainable development fund” in the note of 23 October 2017 are earmarked more generally as “assistance to the implementation of the Agreement, including sustainable development fund” in the note of 6 July 2018.

59. During a meeting of the subcommittee on economic, social and cultural development on 12 October 2018, signatory movements requested further clarity and transparency from the Ministry of Economy and Finance about the revenues and expenditures of the fund prior to its creation. In a third technical note, dated 28 December 2018, presented to the subcommittee on 11 January 2019,⁵² the Ministry clarifies that while the Government mobilized over 16 billion CFA francs (\$32 million) for the fund in the 2015–2018 period,⁵³ no expenditures were made; in the technical note, the above-mentioned expenditures previously labelled as “sustainable development fund” are qualified as “urgent priority expenses for northern regions”.

60. Confronted with the wide discrepancy between executed amounts labelled initially as “sustainable development fund” and reported as such to IMF on the one hand, and real expenditures qualified as “advances to the fund” on the other hand, the Director General of Budget admitted to the Panel that, in fact, operational expenditures had been labelled as “sustainable development fund” in the first technical note. These expenditures included charges related to the various Agreement Monitoring Committees, the office of the President’s High Representative for the Implementation of the Agreement and the National Disarmament, Demobilization and Reintegration Commission and the National Integration Commission.⁵⁴ In 2017, these charges represented over 9 billion CFA francs (\$18 million) (see annex 10).

F. Reconciliation, justice and humanitarian component

61. In its 2019 midterm report, the Panel drew attention to the concerns raised by human rights and civil society organizations about the content of the draft law on national reconciliation put forward by the Government of Mali and its consequent withdrawal for review. On 18 and 19 March 2019, the National Assembly organized

⁵⁰ International Monetary Fund (IMF), *Mali*, IMF Country Report No. 18/142 (Washington, D.C., May 2018), available at <https://www.imf.org/en/Publications/CR/Issues/2018/05/31/Mali-Selected-Issues-45922>.

⁵¹ Two generators installed by the company SIBAT in Kidal, budgeted for 2.7 billion CFA francs (\$5.4 million) have not been switched on because half of the government payments are still pending, according to the company’s Director General. Meeting in Bamako on 11 April 2019.

⁵² Archived at the Secretariat.

⁵³ In addition, in 2018, more than 8 billion CFA francs (\$16 million) were mobilized from company taxes. Minutes of the meeting of the subcommittee on economic, social and cultural development, 12 April 2019, archived at the Secretariat.

⁵⁴ Email correspondence with Sidiki Traoré, 14 March 2019.

a workshop with various human rights and civil society organizations to discuss the contents of the draft law. The discussion addressed strategies to ensure that the draft law complied with standards of international human rights law.⁵⁵ At the time of writing, the draft law remains with the National Assembly.

62. The work of the Truth, Justice and Reconciliation Commission is one of the areas in which the most progress has been made in the transitional justice component of the Agreement.⁵⁶ The Commission was created by a presidential decree in January 2014 after the coup d'état and the eruption of conflict in the north. Parties committed to its operationalization in the 2015 Agreement, but this was achieved only in January 2016 owing to logistical and administrative constraints. At the time of writing, the Commission had taken more than 10,000 testimonies in less than three years of work and established branches in all the mandated regions.⁵⁷ However, members of the Commission have encountered serious obstacles, mainly from staff of the Ministry of Social Cohesion, Peace and National Reconciliation.

63. On 12 May 2017, the Minister for Reconciliation at the time, Mohamed El Moctar, sent a letter to the Prime Minister drawing attention to the fact that the three-year mandate of the Truth, Justice and Reconciliation Commission had expired and that it had not submitted the required progress reports (see annex 11). Because the Commission became fully operational only in January 2018, the President of the Commission argued to the Prime Minister that the three-year period should be counted from January 2016.⁵⁸ Correspondence from the Commission seen by the Panel shows that progress reports had been produced and were resubmitted on 15 May 2017.⁵⁹

64. In addition, while referenced in the Agreement, for the most part of 2017 and the whole of 2018, the Ministry prevented the participation of the Commission in the meetings of the subcommittee on justice, reconciliation and humanitarian issues by not delivering invitations and conveying contradictory information.⁶⁰ The Commission also provided comments on the draft law on national reconciliation in 2018 that were never transmitted to the redaction committee and therefore not reflected in the draft law.⁶¹

65. Responsibility for the above obstructions lay with the Secretary-General's office in the Ministry, which is the focal point between the Commission and the Ministry.⁶² Since the appointment of the new Government in April 2019, cooperation between the Commission and the Ministry has reportedly improved.⁶³

⁵⁵ Minutes of the meeting from a local human rights organization, archived at the Secretariat.

⁵⁶ The Commission was created by a presidential decree in January 2014, but did not become fully operational until January 2018.

⁵⁷ Meeting with non-governmental organizations (NGOs), Bamako, 11 and 12 June 2019; Radio France Internationale Afrique, "Mali: la CVRJ a terminé son mandat mais pas son travail", 28 January 2019, available at <http://www.rfi.fr/afrique/20190128-mali-cvjr-termine-son-mandat-mais-pas-son-travail>.

⁵⁸ Meeting with confidential source, Bamako, 11 June 2019; and meeting with NGOs, Bamako, 12 June 2019.

⁵⁹ Confidential Commission on Truth, Justice and Reconciliation correspondence, 15 May 2017, archived at the Secretariat.

⁶⁰ Meeting with confidential source, Bamako, 11 and 12 June 2019.

⁶¹ Ibid.

⁶² See footnote 58.

⁶³ Ibid.

III. Armed groups

66. During the reporting period, the Panel continued to collect evidence of collusion between individual members of compliant armed groups and terrorist armed groups. As documented in its 2018 final report and 2019 midterm report, such connections are mainly opportunistic, either motivated by the local political dynamics and balance of power or by criminal interests.

67. To address this issue of collusion with terrorist armed groups, an initiative was launched officially on 27 September 2018 by El-Hadji Ag Gamou, a Malian armed forces Major General heading the Conseil Supérieur des Imghads et alliés⁶⁴ and de facto military commander of GATIA, to build a strong coalition of compliant armed groups to “protect population and assets in the north”.⁶⁵

68. Discreetly supported by the Government of Mali and France, this coordination mechanism, officially designated as the Comité de pilotage pour la réconciliation, l’unité et la sécurité, alias the *directoire*, was initially aimed at uniting CMA, MAA and GATIA, to take back the initiative and resist growing pressure from terrorist armed groups in northern Mali, in particular following the killing of several key individuals in the Timbuktu and Kidal regions in 2018, and in the absence of progress towards the long-awaited creation and deployment of the reconstituted army.

69. At the end of 2018 and early 2019, a series of meetings took place in Bamako involving several compliant armed groups, including splinter groups and Fulani communities and sedentary groups. However, the implementation of such a broad alliance was required to solve long-standing conflict and competition, notably within the Tuareg, Daoussak and Arab communities. Despite several initiatives, as analysed below, the division between Arabs and the failed power-sharing of Talataye between Daoussaks have turned the *directoire* into a stillborn project.

Directoire initiative

70. Signatory armed groups have been losing ground since the signature of the Agreement in 2015, in part to splinter groups, which have multiplied, weakening mainly MNLA, and then to terrorist actors, despite the initial significant setbacks suffered at the hands of the French forces. Terrorist armed groups have been able to pursue a successful expansion strategy, based on pooling their forces into a new alliance, the Jama'a Nusrat ul-Islam wa al-Muslimin (JNIM) (QDe.159),⁶⁶ on collusion with compliant armed groups and on fuelling a new front in central Mali and surrounding countries, through different proxies, thereby diverting the resources and attention of the international community and their armed forces.

71. To reverse this trend, General Gamou first had a discussion in September 2018 with Aghabass Ag Intalla and his brother Mohamed at a funeral service, in which both approved the initiative. Thereafter, Gamou gathered the key political leaders and figures of northern Mali, including Major General Abderrahmane Ould Meydou, governor of Taoudenni and an influential former Arab rebel; Nema Ould Sidi Mohamed, a prominent Kounta businessman and elected representative of the Arab communities of Gao in November 2018 (see para. 77); and leaders of armed groups, including, in addition to Ag Intallah (HCUA), Bilal Ag Cherif (MNLA), Ibrahim Ould Sidatti (MAA-CMA), Mohamed Ould Awainat (MAA-CMA), Hanoune Ould Ali (MAA-Plateforme/Gao), Moulaye Ahmed Ould Moulaye Raghani (MAA-

⁶⁴ An ethnic-based organization representing mainly Imghad Tuaregs.

⁶⁵ The call of the *Conseil* was posted on the Facebook page of GATIA the next day; accessed on 10 July 2019 at <https://www.facebook.com/GATIA.INFO/posts/2681887308702256>.

⁶⁶ Listed on 4 October 2018 on the ISIL (Da'esh) and Al-Qaida sanctions list.

Plateforme/Timbuktu), Moussa Ag Acharatoumane (MSA-D) and Harouna Toureh (Plateforme).

72. The coalition was formalized on 21, 23 and 24 December 2018, at the residences of Ould Meydou, Nema and Gamou in Bamako,⁶⁷ although Ag Intalla, Ould Ali and Toureh eventually expressed reticence about engaging their own communities in fighting terrorism.⁶⁸ Subsequently, in January 2019, a larger audience was gathered by Ould Moulaye at his residence, which included Arab and Tuareg splinter groups, as well as Fulani communities and sedentary groups. The concluding meeting took place on 9 March 2019 at the personal residence of President Keita in Sébéninkoro, Bamako, with the aim of finalizing the project and its funding. The last step was supposed to be the organization of a major reconciliation gathering in Gao for all northern Mali regions involving all signatory and compliant armed groups, to formalize their alliance and regain the terrain lost to terrorist armed groups since 2015. However, it became evident to all the participants during this final meeting at the President's residence, which took place in the absence of Gamou, that the project would not succeed.

73. While many actors believe that the failure of the *directoire* is an indirect consequence of the competition between Algeria and France,⁶⁹ the Panel considers that it had to be abandoned because of the incapacity to solve the divisions and settle the existing hotspots in northern Mali, as analysed below: within the Arab community; in the Kidal region; in Talataye commune (Gao region); in the Ménaka region; and in the Gourma area.⁷⁰

Conflict within the Arab community

74. The Arabs of northern Mali are divided along ethnic lines, among Bérabiches, Kountas and Tilemsi, but also based on political and business interests and alliances with other tribes.⁷¹ The Bérabiche community, with a historical presence in the Timbuktu and Taoudenni regions, used to dominate trading routes with Algeria, Mauritania and Morocco and the salt caravans from the Taoudenni salt mines. On the other hand, Arabs based in the Tilemsi valley arrived in the northern Gao region more recently and had more limited access to education and public employment. The involvement of Tilemsi Arabs in smuggling activities, first of subsidized goods (*lahda* trade), provided them enough resources and strength to be recognized as separate *fractions*, as with the Lemhar, and to avoid paying their tributes as vassals of the Kountas, a maraboutic tribe that is historically dominant.

⁶⁷ Photographs of the meeting and the press communiqué were posted on Gamou's Facebook profile, accessed on 10 July 2019 at https://www.facebook.com/permalink.php?story_fbid=632073837209437&id=301491373601020.

⁶⁸ Many actors present at Gamou's residence witnessed tense discussions between Ag Intalla, Ould Ali and Toureh on the one hand and Gamou on the other, regarding the commitment to fighting terrorism and alleged connections between HCUA and Ansar Eddine and MAA-Plateforme/Gao and Al Mourabitoun. Meetings with several armed group leaders associated with the creation of the *directoire*, Bamako, May and June 2019.

⁶⁹ Ag Intalla travelled to Algeria in November 2018, officially to discuss the provision of fuel and foodstuffs to the Kidal region with Algerian authorities. While allegations that Ag Intalla travelled together with Hanoune Ould Ali could not be independently confirmed, several actors mentioned to the Panel that Ag Intalla's attitude towards the *directoire* initiative had changed after his return from Algiers; meetings in Bamako, May and June 2019.

⁷⁰ Gourma straddles parts of the regions of Gao (Tessit, N'Tillit), Timbuktu (Rarhous, Gossi) and Mopti (Douentza).

⁷¹ For a historical perspective on the Bérabiches and the Kountas, see Paul Marty, *Etudes sur l'Islam et les tribus du Soudan, Tome Premier: Les Kountas de l'Est – les Bérabich, les Iguellad* (Paris, Editions Ernest Leroux, 1920).

75. Several initiatives to reunite the different Arab communities of northern Mali took place in the fall of 2018.⁷² In Gao, a gathering of Arab *fractions* from the Tilemsi valley was held in Tinfanda on 30 November 2018. During the meeting, at which delegations from CMA and GATIA, led respectively by Ag Intalla and Ag Hamzata, were present, the Kounta Nema Ould Sidi Mohamed was elected representative of the Tilemsi Arabs, as part of the consensus reached between the MAA-CMA of Ould Awainat and the MAA-Plateforme of Ould Ali.

76. However, in Timbuktu, attempts to reunite the Bérabiche by the Governor of Taoudenni, Ould Meydou,⁷³ and the second vice-president of the regional authorities of Taoudenni, Mohamed Taher Ould Elhadj (Oulad Bouhanda *fraction*), supported by the Tormouz of Baba and Zahabi Ould Sidi Mohamed, failed.

77. While the creation of the region of Taoudenni was supposed to represent a culmination of the influence of the Bérabiche in northern Mali, the strong divisions within their own community have stalled any further progress. Rather, the prolonged absence for medical reasons of the president of its regional interim authorities, Hamoudi Ould Sidahmed, the assassination of Settara Ould Ahmed Hairi and the arrest of Mohamed Ould Houmera in Adhwayha by Barkhane on 3 September 2018,⁷⁴ both members of the regional authorities, and the complete standstill in the designation of interim authorities at the *cercle* level (see para. 40) owing to overwhelming disagreements among the Government, CMA and the Plateforme⁷⁵ represent visible setbacks.

78. The series of targeted killings,⁷⁶ notably the assassinations of three prominent Bérabiche Arab figures, including Settara and Mohammed Ould Hinnou, alias Jidou,⁷⁷ by a commando of two reportedly led by Al Izza Ould Yehia,⁷⁸ also had a strong impact on the community.

⁷² Meetings with Arab community representatives, businessmen and leadership of armed groups, Timbuktu, Gao and Bamako, between March and June 2019.

⁷³ The Governor is allegedly of mixed origin, with a Lehmar father from the Gao region and a Tormouz mother from the Timbuktu region.

⁷⁴ Houmera (MAA-Plateforme) was arrested alongside Mohamed Yarba Ould Sidna and Naji Ould Ali; the group, from the Oulad Amrane *fraction*, is suspected of involvement in terrorist activities. Another major operation conducted by French forces in the Timbuktu region on 21 February 2019 targeting Arab members of The Organization of Al-Qaida in the Islamic Maghreb (AQIM) led to the arrest of MAA-CMA military commander Saleck Ould Sidi Mohamed, alias Salek Lasmane (Nouaji *fraction*, former Front islamique arabe de l'Azawad) and the killing of former Gendarme Mohamed Ould Mouni (Gouanine *fraction*), Amniyat commander of MAA-CMA, reportedly close to Ibrahim Ould Handa and Goulam (both of the Oulad Ghanam *fraction*). For additional details on both individuals, see [S/2019/137](#), paras. 46–47 and [S/2018/581](#), para. 92, respectively. During the same operation, AQIM senior commander and Jama'a Nusrat ul-Islam wa al-Muslimin (JNIM) deputy Djamel Akkacha (QDi.313) (see [S/2019/137](#), para. 50) and Tunisian national Seifallah ben Hassine (QDi.333), leader of Ansar al-Charia (QDe.143), alias Abou Iyad Al Tounsi, were also allegedly killed.

⁷⁵ Both groups want to review their quota and repartition of presidencies for Fouta-Djallon, Al Ourche and Boujebeha.

⁷⁶ See also [S/2019/137](#), paras. 44–50 and annex 10.

⁷⁷ Settara is from the Alkouri *fraction*, Jidou Oulad Ich. Three other persons were killed in the incident or had fatal injuries: Cheik Ould Rahama (Oulad Idriss), Mohammed Ould Haidi and Settara's driver, Atahar Ould Alhamri. Only three persons present at Settara's residence that evening were left unharmed.

⁷⁸ Arrested by Barkhane in Likrakar on 27 May 2019, Ould Yehia is also suspected of being involved in the killing in Timbuktu on 9 January 2018 of a customs officer related to Settara; confidential report, 28 May 2019. This assassination could be related either to Settara's alleged business relationship with Hanoune Ould Ali and/or with the killing by Arab elements of Colonel Jidou of relatives of the Imghad mayor of Hamzakoma, Mossa Ag Warabanga, presumably related to Al Mansour, following their involvement in an armed robbery of Settara's vehicle.

79. Recent tensions in Lerneb between the Tormouz of Baba Ould Sidi Mohamed, mayor of Lerneb, and the Oulad Ich of Ahmed Ould Sidi Ahmed alias Boda, from Likrakar, who controls the lucrative MAA-Plateforme checkpoint in Lerneb,⁷⁹ further illustrate those divisions.⁸⁰ A mediation led by former Al-Qaida in the Islamic Maghreb *qadi* for the area, Houka Houka Ag Alhousseini (MLi.005),⁸¹ allegedly failed,⁸² illustrating the limits of his influence outside the Tuareg and sedentary communities.

80. Nonetheless, the main rift within the Malian Arab community remains the power struggle detailed in paragraphs 25 to 30 above opposing the Bérabiche leadership of the MAA-Plateforme/Timbuktu of Ould Moulaye and the MAA-Plateforme/Gao of the Lemhar *fraction* of Ould Ali and Ould Mataly. In the context of allegations of foreign manipulation of Ould Ali and Ag Intalla, their strategic rapprochement with Harouna Toureh, observed by many actors during closed-door negotiations in Bamako,⁸³ coincides with the campaign led by Ould Ali to take over MAA-Plateforme, which also contributed significantly to the failure of the establishment of the *directoire*.

Dynamics in the Kidal region

81. In parallel to the discussions in Bamako regarding the *directoire*, HCUA and the Ag Intalla family⁸⁴ further consolidated their grip over the entire Kidal region and its capital, in a context dominated in 2018 by several targeted assassinations, including of traditional elders in Kidal town, in broad daylight.⁸⁵ The consolidation of power by HCUA is mainly at the expense of the MNLA of Bilal Ag Cherif, while its former strongman, Mohamed Ag Najim (see para. 30), now holds a more symbolic position as head of the security and military council of CMA.⁸⁶ Only a few institutions, such as the Comité de sécurité mixte de l'Azawad à Kidal, headed now by Habib Ag Babahmed,⁸⁷ remain in partial control of MNLA. Death threats against MNLA

⁷⁹ Under the command of Colonel Mahmoud Ould Jeyid.

⁸⁰ On 9 August 2014, Oulad Ich of Ould Jeyid (MAA-Plateforme) and Oulad Idriss of MAA-CMA already fought for the control of Lerneb, a strategic commercial hub between Mali and Mauritania; at its 38th meeting, the Technical Commission on Security instructed the joint observation and verification team to investigate this case.

⁸¹ Listed on the 2374 sanctions list on 10 July 2019.

⁸² Confidential report, 26 June 2019.

⁸³ Meetings in Bamako, May and June 2019.

⁸⁴ The former *Aménokal* of Kidal, Intalla Ag Attaher, who died on 18 December 2014, had three sons: Mohamed, who succeeded as the *Aménokal*; Alghabass, who took over HCUA from his brother in July 2014; and Attayoub, who controls the civil society regional bureau in Kidal and an NGO, Solidarité pour le Sahel.

⁸⁵ The assassination on 22 September 2018 of Mohamed Ag Eljamat, *fraction* chief of the Tachrerat of Taghat Mellet, and Saïd Ould Cheikh, sultan of the Arab *fraction* of Oulad Malouk, for allegedly having sold livestock to international forces, took place at 1500 hours at a location in Kidal town near the residence of the *Aménokal*, Mohamed Ag Intalla; confidential report, 26 September 2018, CMA communiqué 014/2018-CC-CMA dated 22 September 2018, meetings in Kidal, 7–8 February 2019. Following the killing, it was reported to the Panel that a representative of the Ag Intalla family had complained directly to Iyad Ag Ghali in November 2018 to prevent further assassinations.

⁸⁶ Colonel Najim was appointed to this position in October 2018, when he was replaced as military Chief of Staff by Ag Bouhada. He now allegedly spends most of his time between Bamako and Tunisia, for business reasons; meeting with confidential source, Kidal, 10 June 2019.

⁸⁷ The Comité de sécurité mixte de l'Azawad à Kidal has been constantly reshuffled for the past two years; Ag Babahmed replaced Rhissa Ag Zuma as head of the Comité in December 2018 (both are MNLA) and Ag Zuma, an Ifoghas from the Tamasna area, had already replaced Ag Babahmed in 2017.

members were renewed in early 2019 by Ansar Eddine (QDe.135),^{88,89} while another audio message targeting more specifically the Imghad Governor of Kidal, Sidi Mohamed Ag Ichraf, was released in September 2018.⁹⁰

82. GATIA, represented in the Kidal region by its Deputy Secretary-General, Haballa Ag Hamzata, and commanded by Alkhader Ag Teghelift and sanctioned individual Ahmoudou Ag Asriw (MLi.001), controls only Takellout and Aguelhok, where JNIM conducted its last significant complex attack on 20 January 2019.⁹¹ Both Ag Hamzata and Ag Asriw are now considered outsiders by GATIA leadership,⁹² following their rapprochement with Tilemsi Arabs and HCUA in the Kidal region.

83. Within the framework of the *directoire*, the *Aménokal* launched his “caravan for peace”, aimed at promoting the implementation of the Agreement in the Kidal region and reaching out to Ansar Eddine supporters. The caravan spent three days in Tinessako, from 17 to 19 February, and in Tessalit, from 3 to 5 March 2019.⁹³ In response, Sidani Ag Hitta, a senior JNIM commander in Kidal, released an audio message on 6 March 2019 rebutting the peace speech by the *Aménokal*, referring implicitly to his last address to the local population in Tessalit.⁹⁴

84. To strengthen the importance and credibility of CMA in terms of public security and law enforcement, namely, incarceration at the office of the Comité de sécurité mixte de l’Azawad à Kidal, from which prisoners used to escape frequently,⁹⁵ several initiatives have been taken since October 2018 to reinforce CMA’s own capacities. These include the construction of a new jail,⁹⁶ the institutionalization of a commission of *qadi* to supervise the judicial system, the replacement of Rhissa Ag Zuma at the head of the Comité de sécurité mixte de l’Azawad à Kidal and the progressive deployment of mobile security teams in Anéfis, Tinessako, Tinzaouatène and Talhandak, under the overall command of HCUA military commander Achafagui Ag Bouhada and his deputy, Ibrahim Ag Yahya.⁹⁷

⁸⁸ Listed on the ISIL (Da’esh) and Al-Qaida sanctions list on 20 March 2013.

⁸⁹ The updated hitlist still includes former members of the counter-terrorist unit of MNLA, namely, Inkinane Ag Attaher, Sidimohamed Ag Saghid, alias Trois-Trois, Asseda Ag Saghid, Ahbi Ag Ahmayda and Hachime Ag Mohamedine; Bilal Ag Cherif, Mohamed Ag Najim, Moussa Ag Najim, Kassim Ag Chérif and Aghlass Ag Kawas were added to the list. Of interest, Ag Babahmed was removed from the list despite his promotion to head of the Comité de sécurité mixte de l’Azawad à Kidal.

⁹⁰ The Governor has relied on Ag Bouhada’s protection since his arrival in Kidal, in exchange for 8 million CFA francs (\$16 million) per month; meetings with sources in Kidal and Bamako, February 2019.

⁹¹ See MINUSMA press communiqué accessed on 10 July 2019 at <https://minusma.unmissions.org/les-casques-bleus-de-la-minusma-repoussent-une-attaque-terroriste-complexe-%C3%A0-aguelhok>.

⁹² Meetings with confidential sources, Bamako, 19 March and 8 June 2019.

⁹³ Meeting with Mohamed Ag Intalla, Kidal, 11 June 2019; confidential document, 16 April 2019; according to the latter, at least two members of Ansar Eddine defected to HCUA in this context.

⁹⁴ Ag Hitta, a national guard deserter also known as Abdelkrim al-Kidali, heads the Ansar Eddine *katibah* of the Kidal region, based between the Adrars of Amihar and Tigharghar. His sister is Assa Wallet Hitta, who chairs the women’s association of the Azawad. Ag Hitta’s audio message also includes a funeral eulogy for Djamel Akkacha, alias Yaya Abou Al Hamman, and threatens Abderahmane Ag Ghalla, the Malian consul in Tamanrasset, Algeria, from the Ifoghas/Iredjanaten community (the latter replied with another audio message on 10 March).

⁹⁵ Meeting with jail supervisor, Kidal, 10 February 2019.

⁹⁶ The Panel visited Kidal’s jail on 10 February 2019, where 12 detainees were observed in two different cells, including 9 who had been convicted and 3 who were awaiting presentation to the *qadi* commission.

⁹⁷ International forces observed the deployment of mobile security teams in Anéfis on 17 December 2018; in addition, more than 40 armed and well-equipped combatants with pickup trucks were observed in early June 2019 in Kidal, prior to their deployment to new locations in the Kidal region.

85. The build-up of the CMA security apparatus is also taking place in a context of economic boom resulting from the gold rush in the region, with several sites being exploited by hundreds of workers from the Sahel region,⁹⁸ initially in almost complete anarchy. CMA imposed basic regulations, notably in terms of the handling of chemicals and the registration of foreigners, as observed by the Panel.⁹⁹ Several mining operators are yet to comply with the regulations.¹⁰⁰ Mine sites have visibly attracted significant investment and additional trade to the Kidal region, generating further income from checkpoints and taxation for CMA.

Operation “Acharouchou”

86. The launch in mid-January of Operation “Acharouchou” under the command of Ag Bouhada, conducted by the Comité de sécurité mixte de l’Azawad à Kidal and the mobile security teams, came in tandem with issuance of the CMA decision on 30 January 2019 regarding several aspects of public law and order.¹⁰¹ The operation was supposed to complete the process of full appropriation by CMA of the security governance of the Kidal region.

87. Considered by local and international actors as having improved the security situation during the first three months, from January to March 2019,¹⁰² the operation lost part of its effectiveness in early April, with JNIM resuming its attacks on international forces.¹⁰³ CMA admitted to the Panel that Operation Acharouchou also had had to reduce its footprint in May, first, as a consequence of the dispatching of mobile security team units to Talataye, which demonstrated that its primary mission remained the military hegemony of CMA even outside the Kidal region; and second, because of the handover of the CMA presidency from Ag Intalla to Ould Sidatti and the subsequent replacement of Ag Bouhada by Rhissa Ag Akli, an Ifoghas from MNLA. Another reason is the amnesty of prisoners, mostly of Tuareg origin, decided by Ag Intalla a few days before the rotation of the CMA presidency.¹⁰⁴

Regional Office for the Administration and Management of Kidal

88. The Regional Office for the Administration and Management of Kidal (Bureau régional d’administration et de gestion de Kidal) was created in 2014 and comprises eight commissions, including the humanitarian commission headed by Ahmed Ag Albachar, alias Intahmadou (MLi.004) (see paras. 149–150). Presided over until 2016 by Zeid Ag Mohamed, now vice-president of the regional interim authorities of Gao, his replacement by Oufène Ag Mohamed, an Ifoghas and family relative of Ag Intalla, had a significant impact on the reputation and effectiveness of the Kidal management office. After a series of controversial decisions, Ag Mohamed issued on 25 March 2019 his last formal decision as head of the Office, informing that he would be the

⁹⁸ Gold mines employ Sudanese, Chadians, nationals of Burkina Faso and other nationals, as well as Malians, including combatants registered for disarmament, demobilization and reintegration. See Olivier Dubois (Le Point), “Mali: Kidal dans la fièvre de l’or », 15 April 2019, available at https://www.lepoint.fr/economie/pour-le-point-afrique-mali-kidal-dans-la-fievre-de-l-or-1--13-04-2019-2307428_28.php.

⁹⁹ The Panel visited several gold mine sites north of Kidal on 11 June 2019, where stone crushers, shaking tables, mobile washing/screening alluvial gold machinery and barrels of chemicals (mercury, sodium cyanide and sodium hydroxide) were observed (see annex 12).

¹⁰⁰ Meeting with CMA leadership, Kidal, 11 June 2019.

¹⁰¹ See copy in annex 5 and further details in paragraph 34.

¹⁰² Meetings in Kidal with international forces, 10 and 11 June 2019.

¹⁰³ On 3 April 2019, nine 120 mm mortar shells struck the MINUSMA camp.

¹⁰⁴ Meeting with confidential source, Bamako, 13 June 2019; about 30 prisoners were affected by the amnesty measure according to an email communication received on 29 June 2019 from a confidential source in Kidal.

sole signatory authority for land registration and management in Kidal (see annex 13), fuelling existing suspicions of misappropriation and resale of public properties.¹⁰⁵

89. On 5 April 2019,¹⁰⁶ following complaints from interim authorities, the Governor and the local population, Ag Intalla dismantled the Office (see annex 14).¹⁰⁷ During a meeting with the Panel on 11 June 2019, Ag Intalla also committed to having the authority over the remaining subcommittees not included in the dismantlement decision (education, energy, water, health and sanitation) transferred from the secretariat-general of the executive committee of CMA to the interim authorities, to the extent that adequate resources and legal capacities were provided to the interim authorities for its effectiveness.

Conflict in Talataye

90. The Panel already highlighted in its 2018 final report the strategic interest at stake for the control of the *commune rurale* of Talataye (Gao *cercle*), between CMA, pushing southwards to control key trading routes and expand its constituencies, and MSA-D, a splinter group from MNLA now allied with GATIA and close to Malian and international armed forces.

91. Regarding the constitution of the *directoire*, it became necessary to address the conflict in Talataye between Daoussak supporting the MSA of Moussa Ag Acharatoumane and those supporting the HCUA mayor Mohamed Assaleh Ichak, also known as Salah Ag Ahmed. Having taken refuge in Kidal since 2016, the latter has maintained pressure on his commune, notably through terrorist proxies, as reported by the Panel in 2018 (see S/2018/581, paras. 79–81).

92. The reconciliation process of the Daoussak accelerated in January 2019 after the meetings held in Bamako within the framework of the *directoire*, including one specifically on Talataye between Moussa Ag Acharatoumane and Bilal Ag Cherif on 20 December 2018. The two reached an agreement on the organization of a reconciliation meeting in Talataye.

93. On 9 and 10 January 2019, a total of 33 pickup trucks carrying about 180 fighters left Kidal for Talataye to escort the CMA delegation led by Salah Ag Ahmed and Alhousseiny Ag Ahmedou. On 11 January, the MSA local military commander in Talataye, Mahamat Ag Alhadi, and his brother Moussa, MSA senior commander, decided to block the CMA delegations in the outskirts of Talataye. An agreement was eventually reached on 20 January 2019, which lasted until a series of serious direct clashes between the two groups ensued in May and June, resulting in the ousting of MSA-D from Talataye and the effective takeover of the *commune* by CMA.

94. Two joint observation and verification mobile team mission reports, dated 6 and 17 May, submitted at the 37th meeting of the Technical Commission on Security, and one dated 30 June submitted at the 38th meeting of the Commission, recount precisely the MSA and CMA versions of the sequence of events (see annex 15). Similar versions were reported to the Panel by both parties in Gao and Kidal.¹⁰⁸

¹⁰⁵ Meeting with confidential source, Bamako, 13 June 2019; see also news article accessed on 30 June 2019 at <https://maliactu.net/mali-garde-nationale-de-kidal-le-camp-transforme-en-boutiques-et-magasins/>.

¹⁰⁶ See copy in annex 5.

¹⁰⁷ Ag Intalla also anticipated potential designations by the Security Council Committee established pursuant to resolution 2374 (2017) on Mali, since he was aware that the Kidal management committee and its President were among the main focuses of the Panel's missions to Kidal in February and March 2019; meeting with CMA leadership, Kidal, 11 June 2019.

¹⁰⁸ Meeting with MSA Talataye political and military leadership, Bamako, 26 March 2019, and Gao, 6 June 2019; meeting with CMA political and military leadership, Kidal, 9 February and 11 June 2019, and Bamako, 10 and 14 May 2019.

95. Colluding strategies between JNIM and HCUA have been particularly visible in Talataye, where a significant increase in terrorist attacks claimed by JNIM and targeting only MSA-D was observed between February and April 2019, the period during which both CMA and MSA were supposed to share the area within the framework of the reconciliation agreement. In addition, the Panel collected further documentary evidence of this collusion, showing that individuals associated with Salah Ag Ahmed appear to be directly connected to terrorist activities claimed by the local JNIM *katibah*.¹⁰⁹

Tensions in Ménaka

96. In the region of Ménaka, the planned deployment in Ménaka town of mobile security teams from Kidal, led by HCUA military commander Ag Bouhada, was officially announced to international forces on 14 June 2019 and presented as a resumption of joint patrols.¹¹⁰ HCUA, which so far has had a light military footprint in Ménaka town nevertheless maintains a strong presence in the *cercle* of Tidermene, in particular in Tinfadimata, where its main military base is located, and in Tinabao.¹¹¹

97. In addition to the case included in the Panel's 2018 final report regarding Mohamed Ag Siguidi, son of the HCUA representative for the Ménaka region, Siguidi Ag Madit,¹¹² new reports of collusion between relatives of HCUA representatives in the Ménaka region and terrorist armed groups were received by the Panel. Notably, Malian authorities are currently investigating the implication of Daoud Ag Midoua in the attack on a military position of the national guard in Ménaka town¹¹³ that killed three national guards¹¹⁴ and one member of the Malian armed forces. On 27 September 2018, Barkhane arrested Ag Midoua alongside two associates inside the CMA office in Ménaka. His arrest was then denounced by the CMA spokesperson, Almou Ag Mohamed, in a public post on social media, which has since been retracted (see annex 16).

98. Ag Midoua, the son of the HCUA mayor of Tidermene, Midoua Ag Houada (Tuareg Ichadinharen), allegedly commanded a small group of combatants from the HCUA military base of Tinfadimata acting on behalf either of HCUA or Ansar

¹⁰⁹ The JNIM military region that includes Ménaka and Talataye is allegedly commanded by Fakhan Ag Taki, alias Abou Daoud (Tuareg Ichadinharen), in replacement of Malick Ag Wanasnate, and Abdallah Ag Albakaye (a Daoussak wrongly presented in paragraph 81 of the 2018 final report as based in Tessalit owing to a confusion with another JNIM senior military commander with the same name and formerly mayor of Tessalit) and his brother Hamada, an improvised explosive device expert. One of their officers, Saghdoudoune Ag Mahamad, alias Taradaq, is allegedly the brother of Bahrou Ag Mohamed, an HCUA representative in Talataye. The reported presence of Islamic State in the Greater Sahara *katibah*, such as those of Boubacar Ould Abidine, known as Bouba, former deputy of Sultan Ould Badi – who is allegedly back in Mali with Al Mourabitoun – and member of Islamic State in the Greater Sahara, and of Almahmoud Ag Baye, alias Ikaray or Akorey (Ifokaritane), alias Abou Latif, would indicate that both organizations still cooperate locally against foreign forces and proxies. Confidential report, 25 December 2018; meeting with confidential sources, Gao and Bamako, May–June 2019.

¹¹⁰ Meeting with CMA leadership, Kidal, 11 June 2019; confidential report, 19 June 2019.

¹¹¹ Meeting with confidential sources, Gao, 6 June 2019; meeting with confidential source, Bamako, 8 June 2019; confidential report, 19 June 2019.

¹¹² See S/2018/581, paras. 74–78.

¹¹³ On 28 January 2018, a position of the national guard near the Governor's residence in Ménaka town was attacked at around 0600 hours by three pickup trucks. Four soldiers were killed and their weapons were seized. The three vehicles left Ménaka towards the northern exit after being engaged by GATIA fighters based on the dune located 400 metres east of the target.

¹¹⁴ Corporal Noumoussa Kanté (licence No. 9132), Guard Algaline Ag Sahawali (licence No. 12119) and Guard Yasser Ag Effanfane (licence No. 12692); the latter two are from the Imouchagh *fraction* of the Oulemiden.

Eddine.¹¹⁵ In addition to the attack on the national guard in Ménaka, Ag Midoua allegedly also participated in two other terrorist operations, on the Malian armed forces on 9 January 2018 and on civilians on 19 July 2018.¹¹⁶

99. The situations in Ménaka and Talataye remain closely interconnected. As an illustration, Mohamed Ag Kassoum, alias Kassim or Kassum, *chef de fraction* of the Karsassotane of the Daoussak from Inouélane, stronghold of MSA, was assassinated on 7 April 2019 in his car in Ménaka town by two men on a motorbike, while buying foodstuffs with his son.¹¹⁷ Ag Kassim was part of the MSA delegation that negotiated with CMA in Talataye in January 2019.

100. On 11 April 2019, an MSA military commander also from the Karsassotane *fraction*, Hadama Ag Hainaha, was killed 22 kms south of Ménaka, in Inkiringuiya, a location a few kilometres south of Tinabao, where his predecessor was also assassinated in October 2018. This second killing targeting a Daoussak *fraction* supporting MSA-D was then claimed by “Islamic State’s West African Province” through the global news agency of the Islamic State in Iraq and the Levant (ISIL), AMAQ.¹¹⁸

101. The multiplication of claims by “Islamic State’s West African Province” regarding operations in Mali indicates either a change of parent organization for the local *katibahs* active in the Mali/Niger border areas, which include Akabar and Intaglal in Mali and the Tongo Tongo/Baley Béri areas in the Niger, from Islamic State in the Greater Sahara to “Islamic State’s West African Province”,¹¹⁹ or a more formal subordination of the former to the latter,¹²⁰ which could be related to the prolonged absence of Adnan Abu Walid Al-Sahraoui (QDi.415) from the battlefield.

Conflict in the Gourma

102. In its 2018 final report, the Panel detailed how, coincidentally, a political offensive by HCUA and increased pressure by terrorist armed groups led to the defection in northern Gourma of many local leaders from GATIA to HCUA. The killing on 12 November 2018 of Al Mansour Ag Alkassoum, chief of the local branch

¹¹⁵ On the presence of Ag Midoua in Tinfadimata; meeting with Ag Houda, Bamako, 3 December 2018.

¹¹⁶ Ag Midoua is also accused of having threatened with death the eyewitness who recognized him as the driver of one of the three vehicles used during the attack on the national guard; meeting with confidential source, Bamako, 7 June 2018; confidential report, 11 December 2018.

¹¹⁷ His son was injured, while the shop tenant was also killed; confidential report, 10 April 2019.

¹¹⁸ Confidential report, 17 April 2019.

¹¹⁹ The attack on the Niger Armed Forces on 14 May 2019 was claimed by “Islamic State’s West African Province” on 16 May 2019. During Operation “Aconit”, conducted by international forces against the *katibah* that attacked the Niger Armed Forces in Baley Béri on 14 May 2019, Malian armed forces and the Niger Armed Forces at the Mali/Niger border area from 7 to 19 June 2019, a French light helicopter was gunned down on 14 June 2019 during fighting north-east of Akabar and featured in a communiqué by “Islamic State’s West African Province” published by AMAQ on 20 June 2019, accessed on 30 June 2019 at <https://ent.siteintelgroup.com/Statements/is-claims-downing-french-helicopter-in-mali-killing-2-u-s-soldiers-in-ied-blast-in-niger-in-naba-187-exclusive.html> and in a French communiqué at <https://www.defense.gouv.fr/operations/barkhane/actualites/barkhane-au-coeur-d-aconit-avec-les-commandos-montagne>.

¹²⁰ The last communiqué published by “Islamic State’s West African Province” on 29 June 2019 concerning attacks on the Malian armed forces at the border between the *cercles* of Gossi and Douentza would instead support this assumption; accessed on 30 June 2019 at <https://ent.siteintelgroup.com/Statements/iswap-releases-photos-of-slain-malian-soldiers-and-war-spoils.html>; this possibility has also been pointed out by the International Crisis Group: “The publication in March 2019 by the ISIS media arm of a picture of ISGS fighters under an ISWAP caption seems to confirm a connection and may even suggest that ISGS is, at least in some formal way, subordinate to ISWAP.”, in *Facing the Challenge of the Islamic State in West Africa Province*, Africa Report No. 273, 16 May 2019.

of JNIM known as the AAA *katibah*,¹²¹ had a significant impact on the cohesion of the group, which lost its visibility in northern Gourma, where banditry was again on the rise at the end of 2018.¹²² The *katibah*, which had split among ethnic lines, was reportedly reconstituted in April under the command of Bah Ag Moussa. The latter allegedly received instructions from Iyad Ag Ghali to step up military pressure from the north on GATIA positions in the areas of Hombori and Gossi, while Islamic State in the Greater Sahara kept pushing from the south.¹²³

103. In a context of fear instigated by a propaganda video displaying Abdul Hakim Al Sahrawi beheading Imghad elders and traders associated with GATIA in the region of Tessit,¹²⁴ local leaders associated with GATIA have continued to be targeted by unknown killers. The assassination attempt on 23 April 2019 of Amhamane Diawara, first deputy of the mayor of Gossi, who was involved in Gamou's campaign to rally the population against Islamic State in the Greater Sahara and its affiliates, and the assassination on 21 June 2019 of Nouhoum Maïga, village chief of Hombori, indicate that the pressure remains high on GATIA political and military representatives in the Gourma.

104. Therefore, the military campaign planned by GATIA in N'tillit area, against mainly the Islamic State in the Greater Sahara *katibah* of Abdul Hakim,¹²⁵ which controls the Niger border from the Serma forest (*cercle* of Douentza) in the west to the Niger River in the east, is crucial in maintaining the legitimacy of GATIA in the eyes of the Imghad population in the area. General Gamou has invested a considerable amount of time in the area, meeting local populations, and some Imghad nomadic camps have recently been moved north, towards Doro, as observed by the Panel.¹²⁶

IV. Organized crime

105. Paragraph 8 (c) of resolution 2374 (2017) related to organized crime specifies the trafficking of narcotics, persons and arms. In addition, the Panel is compelled to investigate the trafficking of otherwise licit goods, notably cigarettes, because the trafficking of such goods also risks benefiting armed groups that obstruct or threaten the implementation of the Agreement.

A. Trafficking of narcotic drugs

Regional seizures and arrests

Cannabis seizure and arrests in the Niger

106. In its 2019 midterm report, the Panel mentioned an attempt by prominent MAA-Plateforme leader, Hanoune Ould Ali Mahari, to request the release of Malian individuals, including Sid'Ahmed Ben Kazou Moulati, alias Zaneylou, who was arrested in Niamey in relation to a 10-ton shipment of cannabis resin (hashish) between April and June 2018. At the time of writing of the present report, the Panel

¹²¹ See S/2019/137, para. 54.

¹²² Meeting with Mohamed Ag Shaibata, alias Moha Ag Chaibata, Kel Essouk Tuareg member of Timbuktu regional interim authorities and former *qadi* of Rarhous appointed by Iyad Ag Ghali, Timbuktu, 21 March 2019.

¹²³ Meetings with confidential sources, Kidal and Gao, February and June 2019.

¹²⁴ Archived at the Secretariat.

¹²⁵ Second-in-command of Islamic State in the Greater Sahara, Abul Hakim is allegedly the nephew of Adnan Abu Walid Al-Sahraoui, and also a former member of the Mouvement pour l'unification et le jihad en Afrique de l'Ouest.

¹²⁶ Panel's mission to Doro, 10 June 2019.

was collecting further information on this trafficking operation. According to multiple intelligence sources, Hanoune Ould Ali operated on behalf of Mohamed Ben Ahmed Mahri (MLi.007),¹²⁷ alias Mohamed Rouggy,¹²⁸ who masterminded the trafficking operation together with Ben Kazou Moulati.¹²⁹ Both men were seen together in Niamey in December 2017.¹³⁰ Furthermore, Ben Ahmed Mahri and Ben Kazou Moulati are managers of the company Tilemsi Distribution and Transport in Niamey, a branch of a Gao company with the same name, also abbreviated as Tildis SA (see annex 17).¹³¹

107. According to intelligence sources, Mohamed Ould Mataly (MLi.008)¹³² also partly owns Tilemsi Distribution and Transport. His association with Tilemsi Transport has also been reaffirmed by an Internet blog posting¹³³ and a reaction to an article on drug trafficking in Mali.¹³⁴ Ould Mataly told the Panel that he had started the company but no longer held shares, his relatives now being in charge of it.¹³⁵ It is important to note that Ben Ahmed Mahri is the son-in-law of Ould Mataly.¹³⁶ Ould Mataly also defended some of the 12 people arrested in Niamey,¹³⁷ including Ben Ahmed Moulati, arguing that they had nothing to do with the affair and were simply on their way to Gao for other business when arrested in Niamey.

108. According to information from a Member State, Mohamed Ould Mataly acts as a political relay for narcotics traffickers, such as Mohamed Rouggy, protecting their interests from interference by State authorities, paying off security services and warning traffickers from the Lehmar Arab community about potential counter-narcotics operations.¹³⁸

Cocaine seizure in Guinea-Bissau

109. According to information provided by several Member States and confidential sources, Ben Ahmed Mahri has also been involved in the trafficking of cocaine arriving in Guinea-Bissau and transiting through Senegal and Mali. On 9 March, authorities in Guinea-Bissau seized 789 kg of cocaine worth \$50 million found in a hidden chamber of a truck loaded with frozen fish registered in Thiès, Senegal (see annex 18). The drug seizure led to the arrests of four individuals – two from the Niger,

¹²⁷ Listed on the 2374 sanctions list on 10 July 2019.

¹²⁸ In February 2013, the prosecutor of Bamako issued an arrest warrant for Mohamed Ben Ahmed Mahri (under the name Mohamed Ould Ahmed Deya), among other suspected jihadists and narcotics traffickers. The arrest warrants were lifted in September of that same year as part of the preliminary Ouagadougou agreements.

¹²⁹ Confidential Member State report, 19 January 2019, archived at the Secretariat.

¹³⁰ Meeting with the Director of the Office central pour la répression du trafic illicite des stupéfiants, Niamey, 9 May 2018; Meeting with diplomatic source, Niamey, 10 May 2018.

¹³¹ The company's involvement in drug trafficking has been equally alleged in the media; Idrissa Khalou (Malijet), "Le MAA pro Mali, trafiquants ou terroristes aguerris?" 22 February 2017, available at http://malijet.com/les_faits_divers_au_mali/lettres_ouvertes_mali/178519-le-maa-pro-mali-trafiquants-ou-terroristes-aguerris.html.

¹³² Also listed on the 2374 sanctions list on 10 July 2019.

¹³³ Old post entitled "ould matali de tilemsi transport" available at <http://bourem.centerblog.net/>.

¹³⁴ Maliweb, "Exclusif: Lutte contre le Trafic de Drogue, un certain Chérif recherché", 22 July 2017, available at <https://www.maliweb.net/insecurite/exclusif-lutte-contre-traffic-de-drogue-certain-cherif-recherche-2414442.html>, accessed on 24 April 2019.

¹³⁵ Meeting with Mohamed Ould Mataly, Bamako, 18 April 2019.

¹³⁶ See also Beatriz Mesa, "Le rôle transformateur des groupes armés du nord du Mali: de l'insurrection djihadiste et sécessionniste au crime organisé (1996–2017)", Université Grenoble Alpes et Centre Jacques Berque pour les études en sciences humaines et sociales (Rabat), 2017.

¹³⁷ See S/2018/581, para. 127.

¹³⁸ Several high-level authorities of the Niger informed the Panel that officials in Bamako claiming to belong to State Security called upon the Niger to release Moulaty. Meetings in Niamey, 6 and 11 December 2018.

one from Senegal and one from Guinea-Bissau – near the town of Safim. One of the Niger nationals, going by the name of Mohamed Sidi Ahmed, carried a Niger passport and identification card for the National Assembly of the Niger. Authorities of the Niger allege that these are fake and that the person is Malian.¹³⁹ He had already come to Guinea-Bissau in January 2019, intending to set up a trading company.

110. On 4 March, five days prior to the seizure, Ben Ahmed Mahri arrived in Bissau by car from Dakar together with his accomplice Oumar Ould Mohamed, also a Malian national. The latter had purchased and prepared the truck in Senegal for three months, with Ben Ahmed Mahri joining him during the final stages. The truck had been moved to Bissau a few days prior to their arrival and taken to a depot to stock the drugs. The above-mentioned suspects were spotted and photographed at the scene;¹⁴⁰ however, both men escaped arrest. Ben Ahmed Mahri left Guinea-Bissau a day prior to the seizure, while Oumar Ould Mohamed left the day after, both via Senegal. At the time of writing of the present report, their whereabouts remained unclear. Several confidential sources alleged that they had returned to Mali.¹⁴¹ Ben Ahmed Mahri is allegedly in Tabankort, Gao region.

111. Using his financial gains from narcotics trafficking, Mohamed Ben Ahmed Mahri lends his support to terrorist armed groups, notably the sanctioned entity Al-Mourabitoun (QDe.141).¹⁴² His financial support has further facilitated the engagement of fighters in hostilities in violation of the Agreement, including the integration of fighters into MAA-Plateforme,¹⁴³ and he attempted to bribe justice authorities to obtain the release of terrorist suspects.¹⁴⁴

Cannabis seizure in Morocco

112. On 10 April 2019, Moroccan authorities seized close to 12 tons of cannabis resin worth about \$24 million¹⁴⁵ at the Guerguerat border post with Mauritania. The drugs were transported in a truck and hidden in boxes containing plastic plates. The freight was destined for a company in Bamako. After the seizure in Niamey in June 2018, the Moroccan seizure demonstrates again that significant quantities of cannabis resin are being trafficked from Morocco through Mauritania and Mali on regular transport vehicles.

113. Moreover, the Panel has considered the possibility of Ben Ahmed Mahri being also involved in the trafficking operation in Morocco, as the name of the Malian company on the cargo manifest was the same as that of the company Ben Ahmed Mahri's accomplice Mohamed Sidi Ahmed intended to establish in Bissau in January 2019. As such, all three major seizures of narcotics in the region during the past 18 months generated information pointing to the involvement of Ben Ahmed Mahri. However, the Panel has not confirmed the incorporation of this company in Mali or elsewhere in the region.

¹³⁹ Radio France Internationale Afrique, "Guinée-Bissau: nouvelle saisie de drogue à Bissau," 14 March 2019, available at <http://www.rfi.fr/afrique/20190314-guinee-bissau-nouvelle-saisie-droque-cocaine>.

¹⁴⁰ Photographic evidence seen by the Panel, Bissau, 23 May 2019.

¹⁴¹ Meetings in Bamako, 11–13 June 2019.

¹⁴² Al Mourabitoun was listed on the ISIL (Da'esh) and Al-Qaida sanctions list on 2 June 2014 pursuant to paragraphs 2 and 3 of resolution 2083 (2012).

¹⁴³ Confidential information shared by a Member State, 23 January 2019.

¹⁴⁴ Confidential correspondence dated 22 January 2018, forwarded to the Panel, archived at the Secretariat; and meeting with confidential source, Bamako, 17 April 2019.

¹⁴⁵ The price of cannabis resin per kilogram is between \$400 and \$800 in Morocco, depending on the quality, with a selling price in Europe or the Middle East of between \$2,000 and \$4,000 (see S/2018/581, para. 125).

Cannabis seizures in northern Mauritania

114. In Mauritania, in addition to being moved in regular transport vehicles on main roads, cannabis resin is also trafficked from Morocco to Mali on board heavily armed pickups that use illegal border crossings and through Mauritania's military zone in the north-east of the country. In its 2018 final report, the Panel made reference to an intercept of drug traffickers in this zone by the Mauritanian army in September 2017. Mauritanian authorities shared details of the arrest along with two more recent cases that occurred on 18 February 2018 and 18 March 2019. In total, 5.6 tons of cannabis resin were seized from six vehicles in Mauritania, four of which were destroyed. The seizures led to the arrest of eight people and the confiscation of four weapons (PKMs and AKMs). The Panel has not been able to link any of the cases to signatory armed groups in Mali.

115. While no drugs were seized in southern Mauritania on the way to Mali, the Panel received consistent information on drugs, presumably cannabis resin, entering at Boujbeha, Taoudenni region, and Lerneb, Timbuktu region, this trade being conducted by one Hussein "Guigoz" (Oulad Ghanam *fraction*) whose full identity could not be confirmed.

Drug convoys in Mali

116. The transport of drugs through Mali continues to generate competition between rival criminal networks, involving members associated with signatory movements, which threatens the implementation of the Agreement. In its final report, the Panel highlighted a violent clash between CMA and GATIA near Ammassine in April 2018, during which CMA affiliates intercepted narcotics from a GATIA convoy led by sanctioned individual, Ahmoudou Ag Asriw (MLi.001) (see annex 19). The Panel confirmed with several sources that Mahamadou Ag Attayoub of the Ifoghas/Ifergoumissen tribe¹⁴⁶ led the CMA-affiliated criminal network.

117. In April 2019, Ag Asriw and Ag Attayoub seemed to have reconciled in the interest of teaming up to intercept three tons of cannabis resin near Tabankort, a location known for the stocking and transfer of drugs on the road between Gao and Kidal. The drugs were owned by Lehmar Arabs affiliated with MAA-Plateforme from Gao and transported by a CMA-affiliated criminal network. There was no violence involved, and insiders told the Panel of a probable agreement reached to increase convoy payments.¹⁴⁷

118. It should be noted that Ahmoudou Ag Asriw was present at an inter-Arab meeting held at Tinfanda, Tarkint commune, on 30 November 2018.¹⁴⁸ Mahri Sidi Amar Ben Doha, alias Yoro Ould Doha (see para. 43), confirmed Ag Asriw's presence, claiming that he posed no threat to peace and defending his actions.¹⁴⁹ Intended to unite Arab communities of Gao in the face of administrative restructuring (see paras. 41–44), the Tinfanda meeting also paved the way for MAA-Plateforme-associated Lehmar Arab traffickers to confine convoys to networks from the Kidal region operating under CMA cover to move across the Tamesna desert and further along the Niger-Algeria border.

¹⁴⁶ Ibrahim Ag Bahanga and Hassan Ag Fagaga, key leaders of the Tuareg rebellion of 2012 were from the Ifergoumissen *fraction*.

¹⁴⁷ Meetings in Bamako, 11–13 June 2019.

¹⁴⁸ Confidential report, no date, archived at the Secretariat; see also para. 75 above.

¹⁴⁹ Meeting with Ben Doha, Gao, 21 February 2019.

B. Trafficking in persons and the smuggling of migrants

Figures and trend

119. The trend of migrant flows in northern Mali is both outgoing and incoming, to and from Algeria principally. The number of migrants expelled from Algeria peaked between March and June 2018, with over 11,000¹⁵⁰ of an estimated total of 15,000 migrants¹⁵¹ expelled to the Niger and more than 3,000 to Mali.¹⁵² The International Organization for Migration (IOM) assisted over 1,100 of them in Gao, 500 of whom had arrived in a single day, on 23 March 2018. Mass expulsions came to a halt in June 2018.¹⁵³ Yet, according to IOM data, dozens of migrants continued to arrive in Timbuktu and Gao from Algeria each month after June 2018.¹⁵⁴

120. While they were waiting for their repatriation in Bamako, the Panel spoke with migrants expelled from Algeria at the end of March 2018. They stated that they had been part of one major expulsion involving at least a third of the 3,000 migrants expelled to Mali.¹⁵⁵ Taken in several buses under escort of Algerian security forces from a detention centre in Ghardaia to Regganne, over 1,000 migrants were divided among seven dump trucks that took them to the Malian border, leaving them by the side of the road 25 km from the border town of In-Khalil in Mali. Crossing the Malian border by foot, they were driven in private pickup vehicles to Gao for a fee of 10,000 Algerian dinars (\$85) per person. To reach Gao, the migrants had to pass through seven checkpoints manned by unidentified armed groups, where each person had to pay 1,500 Algerian dinars (\$13). Right before entering Gao, Malian soldiers levied another 2,000 CFA francs (\$4) on each person.

121. The outgoing flow of migrants from Gao, Timbuktu and Ménaka is exclusively to Algeria despite expulsions, increased controls and the erection of walls and border fencing, in particular around In-Khalil, where migration routes from Gao and Timbuktu converge. Instead of In-Khalil itself, the border crossings at Talhandak (see para. 84) and Tindiska, about 120 kms south-east of In-Khalil, are the most frequented today. The route from Timbuktu to Algeria via Taoudenni, further west towards the Mauritanian border, is rarely used. Migrants in Ménaka arrive from the Niger but do not depart to the Niger¹⁵⁶ since it clamped down on the illegal trafficking of migrants to Libya in mid-2016.

122. IOM figures suggest that Timbuktu has taken over from Gao as the main hub for migrants travelling to Algeria, but the number of migrants in Gao is underreported. Because of arrests of so-called *passeurs* on 15 February 2018 (see S/2018/581, para. 139), migrants are lodged and transported in a more hidden manner. The

¹⁵⁰ See International Organization for Migration (IOM), “UN Migration Agency ‘Greatly Concerned’ by Reports of Migrants Stranded at Algeria-Niger Border”, 26 June 2018, available at <https://www.iom.int/news/un-migration-agency-greatly-concerned-reports-migrants-stranded-algeria-niger-border>.

¹⁵¹ Sertan Sanderson (Info Migrants) “Left to die: how Algeria deports migrants to Niger”, 4 May 2019, available at <https://www.infomigrants.net/en/post/16148/left-to-die-how-algeria-deports-migrants-to-niger>.

¹⁵² Giacomo Zandonini (Al Jazeera), “‘Your skin colour was a crime’: African migrants in Algeria”, 24 December 2018, available at <https://www.aljazeera.com/indepth/features/skin-colour-crime-african-migrants-algeria-181222084531701.html>.

¹⁵³ BBC, “Number of migrants ‘abandoned by Algeria’ in Sahara drops”, 13 July 2018, available at <https://www.bbc.com/news/world-africa-44825056>.

¹⁵⁴ Mali population flow monitoring reports available via <http://www.globaldtm.info/mali/>.

¹⁵⁵ Meeting in Bamako, 18 April 2019.

¹⁵⁶ IOM May 2019 flow monitoring report for Mali, available at https://displacement.iom.int/system/tdf/reports/IOM%20Mali%20-%20Flow%20Monitoring%20Report%20-%20May19_No40.pdf?file=1&type=node&id=5934.

passeurs were released after spending one month in detention in Bamako, after which they returned to Gao and resumed their activities.

Principal human traffickers

123. One of the principal human traffickers, a term covering both trafficking in persons and the smuggling of migrants referred to in resolution 2374 (2017), in Gao, Baye Coulibaly,¹⁵⁷ has been in the business since 2010. With a travel company called Tinariwene as cover, he transported some 25 migrants per week, including to the garage maintained by sanctioned individual Mahamedou Ag Rhissa (MLi.002) in Talhandak near the Algerian border.¹⁵⁸ Like Ag Rhissa, Baye Coulibaly has subjected migrants to inhumane treatment.¹⁵⁹ Previously recruiting among migrants on behalf of GATIA, he is presently affiliated with the Ganda Koy, comprising predominantly ethnic Songhai, which is a local militia that is part of the Coordination des mouvements et fronts patriotiques de résistance of Harouna Toureh. He is involved in controlling illegal checkpoints¹⁶⁰ on roads exiting Gao (see annex 20), facilitating the hidden passage of migrants.

124. The Panel met sanctioned individual Mahamadou Ag Rhissa (MLi.002)¹⁶¹ on 14 February 2019. He told the Panel that he was not a member of HCUA and explained that anyone willing to travel on a MINUSMA flight from Kidal to Bamako can request a letter from CMA certifying that the person is a member of the organization and is attending official meetings in Bamako. He also said that migrants were not mistreated in his garage in Talhandak but were accommodated at a reasonable price of 1,000 Algerian dinars (\$8.50) per week. The garage had a capacity of 600 migrants, and Ag Rhissa claimed that it had not been functional since Barkhane raided his house in Kidal in October 2017 and he fled to Tamanrasset in Algeria. He stayed in Algeria for six months before returning to Kidal around February 2018 and on to Bamako in June of the same year. He claims not to have returned to the Kidal region since then, his sanctions designation preventing him from resuming activities. Based on a testimony according to which he travelled to Abidjan at the end of August 2018,¹⁶² the Panel believes that Ag Rhissa conducts other business in the region. His travel ban would prevent him from continuing to do so, thereby drying up his finances and opportunities to resume activities in Kidal.

C. Trafficking of otherwise licit goods

“American Legend” cigarette trafficking

125. In its 2019 midterm report, the Panel documented the trade and illegal introduction of “American Legend” brand cigarettes in Mali, following the June 2018 seizure of 515 boxes, containing 45 cartons each, at the Labézanga border with the Niger. Produced in Greece, the cigarettes entered West Africa via the port of Abidjan and transited through Burkina Faso and the Niger before entering Mali. On 13 July 2018, the businessmen who ordered the shipment in Gao mobilized local militiamen on board about seven pickup trucks, drawn mainly from the Coordination des

¹⁵⁷ See S/2018/581, para. 141 and S/2019/137, para. 69.

¹⁵⁸ Meeting with Mahamadou Ag Rhissa, Bamako, 14 February 2019.

¹⁵⁹ Meetings with migrant protection workers, Bamako and Gao, June 2019.

¹⁶⁰ Such checkpoints on main transport axes out of Gao were erected in consultation with the Gao transporters’ union. The fixed fees levied are 5,000 CFA francs (\$10) for a trailer truck, 2,000 CFA francs (\$4) for smaller trucks and 1,000 CFA francs (\$2) for minibuses. Meeting with leading transporter in Gao, 9 June 2019.

¹⁶¹ Listed on the 2374 sanctions list on 20 December 2018.

¹⁶² See S/2019/137, para. 69.

mouvements et fronts patriotiques de résistance of Djibrilla Moussa Diallo,¹⁶³ to stir up unrest in Gao and loot the depot of the licenced cigarette importer National Tobacco and Matches Company of Mali.

126. The seized volume was part of a 1,000-box order made by Gao-based businessman Albashar Soumaguel Maïga from the company Agdal in Niamey. In turn, Agdal was supplied by Soburex in Ouagadougou, which had ordered 10,000 boxes of American Legend from Karelia Tobacco in March 2018. Although Albashar Soumaguel made the order, several other businessmen contributed and owned part of the order. According to Malian authorities, Albashar Soumaguel instigated the unrest,¹⁶⁴ and witnesses declared to the Gendarmerie that vehicles with looted cigarettes had stopped at his premises.¹⁶⁵ At the time of the seizure, Albashar Soumaguel went to Labézanga to attempt to release the goods, offering border officers bribes of up to 200 million CFA francs (\$40,000), which they refused.¹⁶⁶ One border officer died of natural causes after the seizure. One of Albashar's close associates, Aliou Sagayar, alias Kayiss, president of a transporters' union and a militia member, told the Panel that the officer in question got what he deserved for his betrayal,¹⁶⁷ because the border officials usually had no objection to the illicit introduction of cigarettes.¹⁶⁸ The Panel was unable to meet Albashar Soumaguel, who failed to show up for a meeting in February 2019 and was not in the country in June.

127. Apart from the 1,000 boxes in the above-mentioned order, the Panel obtained photographic evidence of American Legend being trafficked through Mali by armed elements waving a HCUA flag in December 2017 (see annex 21). On 10 June 2019, the Panel also directly observed boxes of American Legend in a house between Gao and Ansongo. Not having physical access to the production codes on the cigarette packages, the Panel is unable to verify with the American Legend producer, Karelia Tobacco, which shipment these boxes belonged to or whether they may have been counterfeits. The Panel was able to do so for the order above, as detailed in its 2019 midterm report.¹⁶⁹

128. In response to a Panel request for information in January 2019, on 8 July, Soburex shared transit documents and documents certifying customs escort from Côte d'Ivoire to Burkina Faso concerning the order of 10,000 boxes of American Legend. In an accompanying letter, Soburex maintains that documents show that the company fully respects the customs legislation of Burkina Faso. It also claims that it insists to clients outside Burkina Faso that they respect the relevant customs legislation of Burkina Faso and Côte d'Ivoire.

129. The Panel recalls that on 27 July 2017, Burkina Faso adopted a decree banning from entry into the country cigarettes that transit through Burkina Faso but do not respect labelling requirements in the destination country. This would also apply to re-exports, given it is stated in the country's Customs Code of 1992 that re-exports

¹⁶³ "Colonel Diallo" is the military Chief of Staff of the Coordination des mouvements et fronts patriotiques de résistance 1 (from Ganda Koy), village chief of Fafa and active on the main road from Ansongo to Gao, and representative of the Plateforme at the Technical Commission on Security; meeting with confidential sources, Gao, 5 June 2019.

¹⁶⁴ Meetings with security officials, Gao, 16 and 17 February 2019.

¹⁶⁵ Transcript of hearings conducted by the National Gendarmerie of Gao, 13 July 2018, archived at the Secretariat.

¹⁶⁶ See footnote 164.

¹⁶⁷ Meeting in Gao, 7 June 2019.

¹⁶⁸ Indeed, Sidien Agdal admitted that earlier deliveries of 115 and 300 boxes had been distributed from his trucks in smaller vehicles belonging to his client before passing the Malian border at Labézanga undeclared (see [S/2019/137](#), para. 80).

¹⁶⁹ See [S/2019/137](#), para. 75.

fall under the transit regime.¹⁷⁰ The packets of American Legend in the order did not show any country-specific labelling.

130. Soburex re-exported the 1,000-box order to the Niger,¹⁷¹ which, as at 2 June 2017, had similar legislation regarding transits of cigarettes. Like Burkina Faso, the Niger should have legally banned goods from entering.

131. The director of the Soburex counterpart in the Niger, Agdal, claimed not to be aware of this cigarette transit legislation and argued during multiple conversations with the Panel that the cigarettes had not been introduced illegally in Mali because they were meant to be re-exported to Algeria by his client in Gao. Yet, in Mali, American Legend is not an authorized brand that can be exported to Algeria, as imports here are restricted to brands that are also produced in Algeria.¹⁷² Given the unrest that the seizure generated in Gao, and his company's possible complicity in violating resolution 2374 (2017), the director of Agdal decided to withhold the delivery of 70 remaining boxes to his client, Albashar, in Gao.

132. The case shows that current national legislation is either insufficient or, where sufficient, not applied, thereby allowing cigarette-related tax evasion in West Africa to continue.¹⁷³ Re-export and transit legislation passed in Burkina Faso and the Niger in 2017 are not respected by either operators or Government authorities. Meanwhile, in Côte d'Ivoire, no such legislation is in place. This is probably the reason why the shipment passed through Abidjan and not Lomé or Cotonou, Benin, where legislation such as that in the Niger and Burkina Faso was adopted in 2016.

133. To comprehensively address cigarette trade-based tax evasion, the Economic Community of West African States (ECOWAS) has drafted a directive introducing, inter alia, traceability.¹⁷⁴ Like the European directive of 2014,¹⁷⁵ the ECOWAS directive introduces a mandatory unique identifying code on tobacco products indicating, inter alia, the shipment route, purchasers and retail sale market.¹⁷⁶ The directive compels member States to ensure that products that are not in conformity are not put on the market but is silent on definitions of and measures to eliminate illicit trade.

¹⁷⁰ See article 112 of the Customs Code of Burkina Faso, Law No. 03/92/ADP of 3 December 1992, available at www.ifrc.org/Docs/idrl/863FR.pdf.

¹⁷¹ Unfortunately, the Burkina Faso customs documents shared by Soburex were of such poor quality that the destination country was not visible. Burkina Faso customs authorities did not provide the Panel with the relevant transit or re-export documents despite verbal and written promises to the Panel.

¹⁷² See section 6 of Executive Decree No. 04-331 of 18 October 2014, available at <http://www.douane.gov.dz/pdf/diverses%20reglementations/decret%20executif%20n%2004-331%20du%2018%20octobre%202004.pdf>.

¹⁷³ Illegally retailed in the Magreb and Europe, profits resulting from tax evasion through multiple trans-shipments of American Legend in West Africa amount to \$6 million to \$13 million per shipment of 10,000 boxes (10 containers) (see S/2019/137, para. 83).

¹⁷⁴ The West African Economic and Monetary Union is also working on a directive related to tobacco trade.

¹⁷⁵ The deadline of 20 May 2019 for the implementation of the European Union directive was not met given that several member States were not ready because they had not yet appointed an "ID issuer". See Sarantis Michalopoulos (EURACTIVE) "EU track and trace system risks missing the deadline", 12 April 2019, available at <https://www.euractiv.com/section/economy-jobs/news/eu-track-and-trace-system-risks-missing-the-deadline/>.

¹⁷⁶ Traceability elements in both directives are drawn from the World Health Organization Protocol to Eliminate Illicit Trade in Tobacco Products of 12 November 2012, which almost all ECOWAS States members have signed.

Trafficking of other brands in the region

134. The Panel has received information about complex cigarette trade-based tax evasion in respect of other brands of cigarettes – “Yes”, “Golden Deer” and “Gold Seal” – coming in via the ports of Cotonou and Lomé, then entering and exiting Burkina Faso to be dispatched from northern Ghana in smaller quantities. The Panel has not found any evidence of these brands of cigarettes transiting through Mali.

V. Violations of international humanitarian and human rights law

A. Killing of civilians by Malian armed forces

135. In its previous final report (see [S/2018/581](#), annex XIII), the Panel addressed the targeting of civilians during the first half of 2018 by the Malian security and defence forces engaged in counter-terrorist operations in the centre of the country. Apart from an alleged case in the village of Doma, Mopti region, in August 2018,¹⁷⁷ allegations in the latter half of 2018 and the first half of 2019 have been sporadic. Judicial proceedings have slowly picked up in relation to cases brought between February and June 2018 in Sokolo, Ségou region, and in Boulikessi and Nantaka villages, Mopti region. Thus far, however, no perpetrators have been sentenced, only suspended.¹⁷⁸

136. The Panel investigated a case of extrajudicial killings by Malian armed forces in the Gourma area. On 24 April, an armed forces escort unit arrested four individuals on the Gossi-Gao axis. One of the four detainees managed to escape, while the other three were taken to the locality of Intahaka, Gao region, where they were executed¹⁷⁹ and burnt (see annex 22). Among those killed were two members of GATIA, Ahamda Ag Al Hussein and Mosa Ag Medidi, and one national guard who is a member of the Operational Coordination Mechanism in Gao, Mossa Ag Hamada.¹⁸⁰

137. A witness who was in one of the public buses escorted by the army told the Panel that the three men on one motorbike had caught the attention of the armed forces unit.¹⁸¹ The three men were stopped because driving a motorbike after 1800 hours is not allowed. The men showed their GATIA cards, but the soldiers started beating them and took them close to the armed forces checkpoint in Intahaka where, still according to the witness, their motorbike was first set on fire and after that, the men were also set on fire and died.

138. A few days after the incident, GATIA held Malian armed forces officer Hamadi Coulibaly responsible for the extrajudicial killing, given that he was the commander of the armed forces unit in question.¹⁸² According to a Malian army officer in Gao,

¹⁷⁷ See [A/HRC/40/77](#), para. 32.

¹⁷⁸ See [S/2018/1174](#), para. 38.

¹⁷⁹ See [S/2019/454](#), para. 49.

¹⁸⁰ United Nations confidential report of 1 May 2019, archived at the Secretariat; telephone interviews conducted on 30 April 2019; interviews conducted in Gao on 5 and 6 June 2019; Bamada.net “Gao: Le GATIA accuse l’armée Malienne de bavure à N’tilit!”, 24 April 2019, available at <http://bamada.net/gao-le-gatia-accuse-larmee-malienne-de-bavure-a-ntilit>; and Jeune Afrique, “Mali: des soldats de l’armée accusés d’avoir assassiné trois personnes dans le Nord”, 26 April 2019, available at <https://www.jeuneafrique.com/767884/politique/mali-des-soldats-de-larmee-accuses-davoir-execute-des-touaregs-dans-le-nord/>.

¹⁸¹ Telephone interview with witness, conducted on 28 April 2019.

¹⁸² GATIA Facebook post of 26 April 2019, available at <https://www.facebook.com/GATIA.INFO/>.

the alleged perpetrators were detained and are currently under investigation by military justice authorities.¹⁸³

B. Violations of the rights of the child and sexual violence

139. The Panel was not able to independently verify any cases of children associated with armed signatory groups during its mandate. Solidarité pour le Sahel in Kidal identified and admitted 60 children into their protection centre in 2018, including two girls, who had been recruited by signatory armed groups in Tessalit, Aguelhok and Kidal.¹⁸⁴ Children were used mainly as porters, with girls also serving as cooks. At the time of writing, no information was available on the number of children identified in 2019. The Panel met with the MINUSMA Child Protection Unit; however, no updated information for the reporting period had been made available to the Panel at the time of drafting.

140. In 2019, the Panel has not been able to independently verify any cases of sexual violence in conflict and as at 31 March 2019, no case of sexual violence had been documented by the MINUSMA Women's Protection Section during the Panel's current mandate.¹⁸⁵ The Panel received one reported incident. On 19 May 2019, at around 1500 hours, four armed men intercepted a public transport vehicle travelling from Bamako to Timbuktu, near Acharane village, west of Timbuktu. Reportedly, the assailants drove the vehicle seven kilometres from the road and stole all the passengers' belongings, and four assailants gang-raped a 20-year-old woman. All the passengers were released a few hours later.¹⁸⁶

141. The Gender-based Violence Information Management System, which compiles information from different organizations working on gender-based violence throughout Mali, reported 210 cases of conflict-related sexual violence from January to April 2019, including cases of forced marriage, sexual slavery, castration, forced prostitution and forced pregnancies.¹⁸⁷

142. The Panel has also received multiple accounts of migrant women being raped during their journey.

C. Obstruction of humanitarian assistance

Obstruction of humanitarian assistance in Kidal

143. Having described the general situation in its 2019 midterm report,¹⁸⁸ the Panel conducted a case study on obstruction of humanitarian assistance in Kidal.

144. Falling behind in terms of Government-provided services (see para. 39), humanitarian service delivery in Kidal is severely constrained owing to insecurity and poor infrastructure. The airstrip was badly damaged in 2016, leaving all humanitarian aid to be delivered by road. The situation is compounded by the fact that CMA, being the principal security provider, coerces non-governmental organizations (NGOs) to

¹⁸³ Meeting with Malian armed forces officer, Gao, 5 June 2019.

¹⁸⁴ Meetings with NGO representatives, Kidal, 14–15 March 2019.

¹⁸⁵ Email exchange with the MINUSMA Women's Protection Section on 24 June 2019.

¹⁸⁶ Confidential report of 22 May 2019; email exchange with the MINUSMA Women's Protection Section on 24 June 2019.

¹⁸⁷ Email exchange with the MINUSMA Women's Protection Section on 24 June 2019.

¹⁸⁸ See S/2019/137, annex 31.

comply with its rules and regulations in ways that hinder, obstruct and curb the delivery of aid.¹⁸⁹

145. The CMA Regional Office for the Administration and Management of Kidal (para. 88) regulates and manages several aspects of civilian life in Kidal,¹⁹⁰ including operations of humanitarian NGOs.¹⁹¹ On 21 January 2019, the president of the Office, Oufène Ag Mohamed (see annex 23), representing CMA and on behalf of its President, Alghabass Ag Intalla, summoned local and international NGOs for a meeting to regulate and formalize working methods between the CMA administration and the humanitarian community (see annex 24). The agenda included the review of programmes for 2019, reporting mechanisms and the participation of representatives of the Office in the conception and implementation of humanitarian and development projects, including supervising NGOs in their field work.

146. During the meeting and in the follow-up minutes sent to NGOs on 29 January 2019 (see annex 25), the Office demanded that the humanitarian community representatives: (a) include CMA representatives in the yearly planning of NGO activities and programmes; (b) continually inform CMA of activities undertaken; (c) include local representatives in the implementation of activities; (d) recognize the role of the Office in the follow-up of activities undertaken and include a CMA representative in all visits and field missions; and (e) submit to the Office their programme proposals and areas of intervention for approval. The introduction of these new demands, in particular the required participation of a CMA representative in all visits and field missions, compromises the neutrality of humanitarians, thereby hindering aid delivery.¹⁹²

147. During an interview on 19 March 2019 with the Panel, Oufène Ag Mohamed further revealed that the objective of the new policy was for the Office to be included in the selection of beneficiaries. This further contradicts international humanitarian principles and could serve to manipulate or divert aid in the region.

148. Under the current system, the Office assigns a representative from the relevant commissions to liaise with each NGO to supervise the planning and implementation of projects. Ag Mohamed selects and appoints all representatives, and they all report to him.¹⁹³ Some NGOs work with these representatives, while others communicate directly with Ag Mohamed or with the humanitarian commission. Not all NGOs have an assigned representative, but those who do are obliged to work with them and submit movement and annual activity reports.¹⁹⁴

¹⁸⁹ Meetings with NGO representatives, Kidal, 20–21 March 2019.

¹⁹⁰ The Regional Office for the Administration and Management of Kidal is composed of eight commissions that regulate specific areas of social services in Kidal. The President of the Office is Oufène Ag Mohamed; the humanitarian commission is led by Ahmed (Intahmadou) Ag Albachar (MLi.004), the education commission by Intahmadou Ag Mohamed, the health commission by Touwa Ag Haballa, the water commission by Haduka Ag Tawad, the energy commission by Mohamed Ag Mimil, the sanitation commission by Ms Baju Hadteyt, the rural affairs commission by Asikadei Ag Wayersagan and the land commission by Abd Ag Giga. Meeting with Oufène Ag Mohamed, Kidal, 19 March 2019.

¹⁹¹ Ibid.

¹⁹² Meetings with NGO representatives, Bamako, 12–13 February 2019, and Gao, 17 February. Email correspondence on 17–25 February 2019, archived at the Secretariat.

¹⁹³ Meeting with Oufène Ag Mohamed, Kidal, 19 March 2019.

¹⁹⁴ Ibid.; email correspondence on 17–25 February 2019; and meetings with NGO representatives, Bamako, 12–13 February and Gao, 17 February 2019.

149. Presided over by Ahmed, alias Intahmadou, Ag Albachar (MLi.004)¹⁹⁵ (see annex 26), the humanitarian commission of the Office issues work and residence permits to aid workers in exchange for money or services.¹⁹⁶ Humanitarian actors must interact with him before starting projects. In one case, Ag Albachar banned an NGO staff member from Kidal for a year, making his return conditional on payment for his permit.¹⁹⁷ Ag Albachar threatens NGOs through youths who are paid for carrying out intimidating and sometimes violent actions.¹⁹⁸ NGO national staff are particularly vulnerable to this intimidation.¹⁹⁹

150. Ag Albachar also influences the recruitment of NGO staff, including guards. When an NGO advertises a post, potential candidates need to seek his permission before applying. NGOs are routinely approached in a threatening manner to recruit people affiliated with CMA and close to Ag Albachar.²⁰⁰ In charge of verifying the humanitarian and development projects in the region, Ag Albachar also exercises control over the participation of individuals and companies bidding for projects tendered by NGOs operating in Kidal.²⁰¹ Moreover, Ag Albachar uses his power to obtain tenders for his own construction company. Attempts by NGOs to bring in outside companies and labour have been met with anonymous threats.²⁰²

151. CMA also manipulates humanitarian aid providers by obliging NGOs to rent vehicles from a selected number of transport companies.²⁰³ A coordination mechanism and protocol were set up in January 2015 to that effect (see annex 27).²⁰⁴ Rental from non-authorized companies or individuals has resulted in hijacking or robbery.²⁰⁵ Vehicle rental is one of the main sources of income in Kidal.²⁰⁶ Most transport companies are owned by influential CMA-associated individuals from the Ifoghas clan who are close to the senior HCUA hierarchy in Kidal, including to Attayoub Ag Intalla, brother of Alghabass and Mohamed, and president of the civil society regional bureau in Kidal and of the NGO Solidarité pour le Sahel.²⁰⁷

152. The rental of vehicles represents significant extra costs for humanitarian actors in Kidal. The imposition of drivers by CMA also has a negative impact on their

¹⁹⁵ Listed on 2374 sanctions list on 9 July 2019. Ahmed Ag Albachar is a maternal cousin of Iyad Ag Ghaly (QDi.316) and paternal cousin of Alghabass Ag Intalla. According to Member State information, he provides the connections between HCUA and Iyad Ag Ghali and is linked to attacks against international forces, as well as the smuggling of arms and drugs.

¹⁹⁶ Meeting with Ahmed Albachar, Kidal, 13 March 2019.

¹⁹⁷ Meeting with diplomatic source, Bamako, 12 February 2019; and meeting with confidential source, Bamako, 18 March 2019.

¹⁹⁸ Meeting with confidential source, Bamako, 18 March 2019.

¹⁹⁹ Meetings with NGO representatives, Kidal, 14–15 March 2019.

²⁰⁰ Meeting with NGO representatives, Kidal 14–15 March 2019; and meeting with diplomatic source, Bamako, 12 February 2019.

²⁰¹ Meeting with confidential source, Bamako, 18 March 2019.

²⁰² Meetings with NGO representatives, Kidal, 14–15 March 2019; and meetings with senior NGO staff, Bamako, 14 February 2019.

²⁰³ Meetings with NGO representatives, Kidal, 14–15 March 2019. ICRC is exempt from this imposition.

²⁰⁴ Meetings with senior NGO staff, Bamako, 14 February 2019.

²⁰⁵ Meetings with NGO representatives, Kidal, 20–21 March 2019.

²⁰⁶ NGOs pay 60,000 CFA francs per day for the rental of a vehicle and 15,000 CFA francs for the driver, imposed by the transport company.

²⁰⁷ Attayoub owns Tadamakate. Timitrine Voyage is co-owned by Ahmed Ag Albachar; Affala Voyage is co-owned by Zeina Wallet Ilady, inherited from her deceased husband Cheikh Ag Aoussa, former military Chief of Staff of HCUA; Amoukane is owned by Moussa Ag Sidalamine, also of the Ifergoumissen clan of the Ifoghas; and Arawane Tour, Tartimezte, Azawagh and Amoukane are all owned by relatives of the Ag Intalla family, who constituted a form of monopolistic cartel. Meetings with interim authorities, Gao, 23 March 2019; and meeting with elder from Kidal in Bamako, 24 March 2019.

independence, in addition to which the drivers are not certified or trained according to security protocols or minimum driving standards and their vehicles are in most cases in poor condition. Yet, NGOs are compelled to comply with imposed regulations and manipulations to avoid physical threats or expulsion.²⁰⁸

153. National and international NGOs in the Kidal region addressed a joint letter to the Office dated 15 February 2019 expressing their respect and willingness to collaborate with CMA administrative and political authorities, but rejecting the presence of the Office's representatives in field visits (see annex 28). The Office did not formally respond but, on 19 March 2019, Ag Mohamed told the Panel that his plan to regulate and formalize the work with NGOs would continue.

154. While the former CMA President, Ag Intalla, officially dissolved the Office except for some of its commissions (see para. 89), the measures controlling humanitarian actors were still effective at the time of writing.

VI. Regional political and security development

A. Regional country overview

155. Analysts have in recent years noted a sharp rise in asymmetric attacks throughout the region, from 75 attacks in 2015 to more than 280 in 2018. Mali continued to be the most affected, with more than 200 attacks, followed by Burkina Faso, with 80 attacks, and the Niger, with fewer than 20 attacks.²⁰⁹ Most recently, the threat of attacks by militants is spilling over into the northern regions of West African coastal states, notably Benin, Ghana and Togo. The recent cycle of civilian killings, mostly in Burkina Faso, Mali and the Niger,²¹⁰ led to an estimated 2,151 civilian victims in five months (from November 2018 to March 2019).²¹¹

Burkina Faso

156. Among Mali's neighbouring countries, Burkina Faso is the most affected, with the civilian death toll rising by more than 7,000 per cent in the first five months of 2019.²¹² During the first six months of 2019, 136,000 people were internally displaced and 119,000 children were left without schooling because their schools were burned down.²¹³

157. On 7 March 2019, the Government of Burkina Faso launched Operation "Otapuanu" in the eastern and central regions, including along the areas bordering Benin, Ghana and Togo, where more than 100 suspected terrorists were reportedly

²⁰⁸ Meetings with NGO representatives, Kidal, 20–21 March 2019; and meeting with diplomatic source, Bamako, 12 February 2019.

²⁰⁹ Control Risks, Vincent Rouget and Mikolaj Judson, "Islamist militancy in the Sahel: Four key trends", January 2019, available at <https://www.controlrisks.com/our-thinking/insights/islamist-militancy-in-the-sahel>.

²¹⁰ Between November 2018 and March 2019, violence in the Niger caused 78 civilian fatalities, 499 in Burkina Faso and 547 in Mali. See Sam Jones (Armed Conflict Location & Event Data Project), "Press release: Political violence skyrockets in the Sahel according to ACLED data", 26 March 2019, available at <https://www.acleddata.com/2019/03/28/press-release-political-violence-skyrockets-in-the-sahel-according-to-latest-acled-data/>.

²¹¹ Ibid.

²¹² Ruth Maclean (The Guardian), "Kalashnikovs and no-go zones: east Burkina Faso falls to militants", April 2019, available at <https://www.theguardian.com/global-development/2019/apr/22/kalashnikovs-and-no-go-zones-east-burkina-faso-falls-to-militants>.

²¹³ Office for the Coordination of Humanitarian Affairs, "Burkina Faso: Rapport de situation", 6 June 2019, available at <https://reliefweb.int/sites/reliefweb.int/files/resources/Rapport%20de%20situation%20-%20Burkina%20Faso%20-%20206%20juin%202019.pdf>.

arrested.²¹⁴ On 21 June 2019, the Parliament of Burkina Faso passed a bill limiting media coverage of military operations.²¹⁵ Since 2018, several regions of Burkina Faso have been under a state of emergency and, on 14 May 2019, the Parliament passed a new law institutionalizing state of emergency as a mechanism to combat terrorism.²¹⁶

Niger

158. In the Niger, the situation has been characterized by a sharp increase in attacks with sophisticated improvised explosive devices, which have targeted Niger defence and security forces in particular.²¹⁷ The Tillabéri and Tahoua regions are the most affected, with more than 60,000 internally displaced persons and more than 150 civilian deaths recorded since January 2019.²¹⁸ On 14 June 2019, the Government of the Niger extended, for an additional three months, the state of emergency in the regions of Diffa, bordering Nigeria, and most of Tahoua and Tillabéri, bordering Mali and Burkina Faso.²¹⁹ The Niger has also experienced an increase in the number of refugees because of regional security challenges. As at April 2019, more than 2,500 refugees had been temporarily evacuated from Libya to the Niger, which had 1,584 asylum seekers in Agadez alone.²²⁰

Mauritania

159. During the reporting period, Mauritania further heightened its border control, increasing the number of surveyed crossing points with Mali from 47 to 53.²²¹ Mauritania also introduced biometric identification cards for all refugees, who can move around freely. The effective management of the Mbera refugee camp by Mauritania and the facilitation of returns, as well as the leadership role of Mauritania in the Group of Five for the Sahel (G-5 Sahel), are significant contributions to the implementation of the Agreement.

160. Moreover, the Mauritanian visa-exempt regime for Syrians²²² has led to thousands arriving in the country since 2012. Most of the Syrian nationals concerned stay in Mauritania temporarily. Only those with no resources have claimed refugee

²¹⁴ Sidwaya, “Opération Otapuanu: plusieurs présumés terroristes neutralisés, une centaine interpellée”, 14 April 2019, available at <https://www.sidwaya.info/blog/2019/04/14/operation-otapuanu-plusieurs-presumes-terroristes-neutralises-une-centaine-interpellee/>.

²¹⁵ The Defense Post, “Burkina Faso adopts law restricting media coverage of military operations”, 22 June 2019, available at <https://thedefensepost.com/2019/06/22/burkina-faso-law-media-coverage-military-operations/>.

²¹⁶ Xinhuanews, “Burkina Faso: une nouvelle loi sur l’état de siège et l’état d’urgence pour lutter contre le terrorisme”, 16 May 2019, available at http://french.xinhuanet.com/afrique/2019-05/16/c_138061589.htm.

²¹⁷ Henri Nsaibia and others (Armed Conflict Location & Event Data Project), “Développements explosifs: la menace croissante des engins explosifs improvisés dans l’ouest du Niger”, 26 June 2019, available at <https://www.acleddata.com/2019/06/26/developpements-explosifs-la-menace-croissante-des-engins-explosifs-improvises-dans-louest-du-niger/>.

²¹⁸ Office for the Coordination of Humanitarian Affairs, “Niger: Rapport de situation”, 26 June 2019, available at <https://reports.unocha.org/fr/country/niger/>.

²¹⁹ Xinhuanews, “Niger: prorogation de l’état d’urgence de trois mois dans les régions de l’Est et de l’Ouest du Pays”, 15 June 2019, available at http://french.xinhuanet.com/afrique/2019-06/15/c_138145203.htm.

²²⁰ Office of the United Nations High Commissioner for Refugees (UNHCR), “Niger: Country operation update”, May 2019, available at <https://reliefweb.int/report/niger/niger-country-operation-update-may-2019>.

²²¹ Meeting with Mauritanian officials, Nouakchott, 26 March 2019.

²²² The Nouakchott International Airport website indicates the list of countries whose nationals do not need a visa to enter Mauritania. Those countries are Algeria, Côte d’Ivoire, the Gambia, Libya, Mali, the Niger, Senegal, the Syrian Arab Republic and Tunisia. See https://www.aeroport-nouakchott.com/visa_mauritanie.php.

status in Mauritania, while some of the more affluent have used clandestine migrant routes into Europe or other Western countries via northern Mali, Libya, Algeria, Morocco and the Niger.²²³ Mauritanian government officials told the Panel that the country had recently restricted its visa-exempt regime for Syrians to diplomats and civil servants only. In 2018, only 142 Syrian nationals entered Mauritania as refugees.²²⁴

161. The Mbera refugee camp in Mauritania hosts the largest number of Malian refugees, with 58,341 refugees as at 31 May 2019.²²⁵ The Panel received information that between 200 and 300 of the mostly young Malian refugees at Mbera camp crossed in and out of the camp so as to be involved in the disarmament, demobilization and reintegration process.²²⁶ Mbera camp refugees are predominantly Tuaregs, who comprise more than 60 per cent of the camp's population, followed by Arabs. There are also Fulani refugees in Mauritania, but most of them live outside Mbera camp. The recent rise in violence in the centre of Mali triggered new arrivals of refugees at Mbera camp.²²⁷

162. On 6 May 2019, more than 2,086 Malian refugees, constituting over 500 families, returned from Mbera refugee camp to Koygouma, *cercle* of Goundam, Timbuktu area in Mali. These refugees returned under the leadership of Ahmedou Ag Abdallah, a prominent HCUA member who confirmed to the Panel that HCUA local armed elements would guarantee the safety and security of the returnees in Mali.²²⁸ The Panel also received information from various sources indicating that the return of refugees to Koygouma fits within the overall current objective of HCUA of extending its effective presence in several parts of northern Mali through the provision of community-based public services.²²⁹

Algeria

163. The Panel has not been able to travel to Algeria to follow up on cross-border dynamics along the Malian border. On 2 August 2019, Algeria responded to a reminder letter from the Panel regarding its previous requests for information and an official visit. The response letter provided the requested information but did not propose any dates for such a visit.

Morocco

164. The Panel visited Morocco for the first time since its establishment pursuant to resolution 2374 (2017). Moroccan officials shared with the Panel their interest in judicial regional cooperation as an effective approach to regional organized crime and trafficking networks. Moroccan judicial investigation units have sent several requests for international judicial cooperation to countries such as Mali, the Niger and Togo, with a view to advancing investigations of trafficking cases. The Panel learned that several countries had not been responsive to those requests.²³⁰

²²³ IRIN, "Le grand détournement: les Syriens dans le Sahel", 11 November 2015, available at <http://newirin.irinnews.org/divers/2015/11/11/le-grand-dtournement-les-syriens-dans-le-sahel>.

²²⁴ Meeting with Mauritanian officials, Nouakchott, 26 March 2019.

²²⁵ UNHCR, "Mauritania: Refugee situation", 31 May 2019, available at <https://data2.unhcr.org/en/country/mrt?secret=unhcrrestricted>.

²²⁶ Meeting with confidential sources in Mauritania, March 2019.

²²⁷ Meetings with humanitarian and government officials, Mbera and Bassikounou, 27–28 March 2019.

²²⁸ Meeting with Ag Abdallah at Mbera camp in Mauritania, 28 March 2019. For background information on Ag Abdallah, see S/2018/581, paras. 11 and 94, and S/2019/137, para. 54.

²²⁹ Confidential reports of May and June 2019; see also the section on armed groups (paras. 81–89).

²³⁰ Meetings with Moroccan officials, Rabat, 20–21 May 2019.

B. Regional trends and issues related to the mandate of the Panel

Cross-continent terrorist connections and the return of foreign terrorist fighters

165. On 11 April 2019, for the first time, “Islamic State’s West African Province”, reportedly a splinter group of Boko Haram, claimed an attack on Malian soil (see para. 100). On 14 May 2019, an attack in the Baley Béri area of the Niger killed more than 28 of its soldiers.²³¹ ISIL claimed that its section of “Islamic State’s West African Province” had carried out the attack.²³² The spike in attacks with sophisticated improvised explosive devices in the Niger over the past seven months implies, according to analysts, increased coordination between local terrorists and the ISIL core.²³³ Methods of attacks are also changing in the region. The reportedly first-ever use of a dead human body filled with explosives occurred in Djibo, northern Burkina Faso, on 14 February 2019, killing a health worker; this is also considered by many as a prevalent practice by jihadists in Iraq.²³⁴

166. Countries around Mali are increasingly concerned about the return of foreign terrorist fighters.²³⁵ In January 2019, the Government of Algeria claimed that more than a hundred suspected foreign terrorist fighters had tried to enter its territory through the borders with Mali and the Niger carrying fake Sudanese passports.²³⁶ Algeria has a visa-exempt regime for Syrians and since 2012 has welcomed more than 50,000 Syrians.²³⁷ Recently, however, Algeria prohibited the entry of any Syrian to its territory through the borders with Mali and the Niger.²³⁸ Mauritania also recently ended visa-exempt travel for Syrians (see para. 160).

Security concerns related to artisanal gold mining

167. Governments in the region are concerned about uncontrolled movements of individuals associated with gold mining because of possible armed group infiltration and financing. In addition, explosives and chemicals used in the gold mines could serve military purposes. In April 2019, the Government of Algeria reportedly arrested 174 gold miners and seized all-terrain vehicles in Tamanrasset and In Guezzam.²³⁹ In February 2019, Algerian media reported the arrest of 92 alleged gold miners with heavy equipment, including 21 motorbikes, 22 metal detectors and several other objects.²⁴⁰

²³¹ The Defense Post, “Niger soldiers missing after an ambush near Tongo Tongo”, 15 May 2019, available at <https://thedefensepost.com/2019/05/15/niger-soldiers-missing-tongo-tongo-tillaberi/>.

²³² Fergus Kelly (The Defense Post), “ISIS claims Niger attacks, attributing them to West Africa Province”, 16 May 2019, available at <https://thedefensepost.com/2019/05/16/isis-iswap-niger-tongo-tongo-koutoukale-attacks/>.

²³³ Heni Nsaibia and others (Armed Conflict Location & Event Data Project), “Développements explosifs: la menace croissante des engins explosifs improvisés dans l’ouest du Niger”.

²³⁴ Jeune Afrique, “Burkina Faso: Un médecin militaire tué par l’explosion d’un cadavre piégé”, 15 February 2019, available at <https://www.jeuneafrique.com/735661/politique/burkina-un-medecin-militaire-tue-par-lexplosion-dun-cadavre-piege/>.

²³⁵ Philippe Hugon (French Institute for International and Strategic Affairs), “L’Afrique, entre retour des migrants et des djihadistes”, 13 December 2017, available at <https://www.iris-france.org/104251-lafric-entre-retour-des-migrants-et-des-djihadistes/>.

²³⁶ Saudi Gazette, “Algeria shuts southern borders to Syrians”, 5 January 2019, available at <http://saudigazette.com.sa/article/551708/World/Mena/Algeria-shuts-southern-borders-to-Syrians>.

²³⁷ Ibid.

²³⁸ BBC Afrique, “Les Syriens interdits d’entrée en Algérie”, 3 January 2019, available at <https://www.bbc.com/afrique/region-46743775>.

²³⁹ Confidential report of 24 April 2019.

²⁴⁰ Algérie online, “MDN/Lutte contre la criminalité: 92 orpailleurs arrêtés dans le Sud”, 10 February 2019, available at <https://algerieonline.info/mdn-lutte-contre-la-criminalite-92-orpailleurs-arretes-dans-le-sud/>.

168. Gold-rich areas in northern Burkina Faso also attract many artisanal miners. In Bartiébougou, on the border with the Niger, presumed jihadist militants have allied with local traffickers to control most of the artisanal gold mines in the surrounding areas.²⁴¹ Similarly, in the Pama Reserve area, on the border between Burkina Faso and Togo, the Kabonga gold mine was operated by an armed group that imposed strict social rules on all local residents.²⁴² On 3 May 2019, the Minister of Energy, Mines and Quarries of Burkina Faso confirmed to media that terrorist armed groups controlled gold mines but claimed to have solved the problem.²⁴³

169. A reported increase in violence and attacks in eastern provinces of Burkina Faso, including Bartiébougou and Pama on the borders with Togo and Benin, matches an increase in the number of armed group-controlled artisanal gold mining operations in the same areas.²⁴⁴ In September 2018, a landslide at an armed group-controlled gold mine in Kabonga area buried an estimated 50 to 100 persons; the number of fatalities remains unconfirmed.²⁴⁵

170. There is a high risk that gold from the above-mentioned mines controlled by terrorist armed groups is smuggled and exported through countries such as Togo and Libya.²⁴⁶ Exports recently increased in both countries, without any significant national production.²⁴⁷

Re-emergence of significant cocaine trafficking through the Sahel region

171. The Panel notes an apparent resumption of high-volume cocaine trafficking from Latin America transiting through the Gulf of Guinea and the Sahel region. In addition to the seizure in Guinea-Bissau on 9 March (see paras. 109–111), on 29 April 2019, Senegalese authorities seized 72 kgs of cocaine in a car coming from Guinea-Bissau and driven by a Malian heading towards Bamako. Regarding other major recent seizures in the region, including 10 tons in Cabo Verde on 25 January 2019 and 238 kgs in Senegal on 31 June 2019, the Panel has not obtained information that they are linked to Malian actors or intended to be trafficked through Mali.

²⁴¹ Ruth Maclean (The Guardian), “Kalashnikovs and no-go zones: east Burkina Faso falls to militants”.

²⁴² Heni Nsaibia (Armed Conflict Location & Event Data Project), “Insecurity in the Southwestern Burkina Faso in the context of expanding insurgency”, 17 January 2019, available at <https://www.acleddata.com/2019/01/17/insecurity-in-southwestern-burkina-faso-in-the-context-of-an-expanding-insurgency/>.

²⁴³ Oumarou Idani (Sidwaya), “Des terroristes exploitaient des mines d’or à l’Est”, 5 May 2019, available at <https://www.sidwaya.info/blog/2019/05/05/oumarou-idani-des-terroristes-exploitaient-des-mines-dor-a-lest/>.

²⁴⁴ Ruth Maclean (The Guardian), “Kalashnikovs and no-go zones: east Burkina Faso falls to militants”.

²⁴⁵ allAfrica, “Burkina Faso: In Eastern Burkina Faso, local grievances help militancy take root”, 15 January 2019, available at <https://allafrica.com/stories/201901160563.html>; see also at <https://www.thenewhumanitarian.org/news-feature/2019/01/15/eastern-burkina-faso-local-grievances-help-militancy-take-root>.

²⁴⁶ Marcena Hunter, “Pulling the golden webs, combatting criminal consortia in the African artisanal and small-scale mining gold mining and trade sector”, Research paper, Issue No. 08 (ENACT, April 2019), available at <https://globalinitiative.net/wp-content/uploads/2019/04/ENACT-Research-Paper-008-Gold-Mining-24Apr1130-WEB.pdf>.

²⁴⁷ Olivier Dubois (Le Point), “Mali: Kidal dans la fièvre de l’or”, 15 April 2019, available at https://www.lepoint.fr/economie/pour-le-point-afrique-mali-kidal-dans-la-fievre-de-l-or-1--13-04-2019-2307428_28.php.

C. Regional initiatives

Joint Force of the Group of Five for the Sahel

172. The Joint Force of the Group of Five for the Sahel continues to build itself after the attack on its headquarters in Sévaré on 29 June 2018 and its subsequent relocation to Bamako.²⁴⁸ Since January 2019, it has resumed operations, which continue to be challenged by limited resources and coordination.²⁴⁹ Meanwhile, terrorist threats are spreading outside the operational zones of the Joint Force, including in areas bordering Benin, Burkina Faso, Ghana and Togo, as illustrated by the abduction in April and May of one citizen of the United States of America, one national of the Republic of Korea and two French tourists, whose guide was killed.²⁵⁰ Some analysts consider this a tactical move by terrorist groups seeking to “overstretch national and regional security and military arrangements”.²⁵¹

173. Since 22 May 2019, locals opposed to the proposal to establish the headquarters of the Joint Force in Bamako have organized sit-ins and demonstrations in front of the current and future locations of the headquarters.²⁵² In addition to the broader political contestation of foreign interventions, the protesters fear potential civilian collateral damage in the event of a terrorist attack on the Joint Force.²⁵³

174. The Joint Force of the Group of Five for the Sahel has established a regional mechanism for cooperation and the sharing of information on security. The G-5 Sahel Security Cooperation Platform, which is still in the early stages of building its national programmes, seeks to enhance regional capacity to address terrorism and organized crime.²⁵⁴

Economic Community of West African States

175. On 29 June 2019, the President of the Niger, Muhamadou Issoufou, was elected as the new Chair of the Economic Community of West African States (ECOWAS) for a one-year term. The new Chair has emphasized the need for a regional approach to the peace and security challenges facing West Africa.²⁵⁵

²⁴⁸ The Defense Post, “New G5 Sahel Joint Force commander moves HQ to Mali capital Bamako after June attack”, 28 September 2018, available at <https://thedefensepost.com/2018/09/28/g5-sahel-joint-force-hq-bamako-mali/>.

²⁴⁹ Meeting with official of the Joint Force of the Group of Five for the Sahel, Bamako, 19 April 2019.

²⁵⁰ Reuters, “Two French tourists and park guide missing in northern Benin”, 3 May 2019, available at <https://www.reuters.com/article/us-france-benin/two-french-tourists-and-park-guide-missing-in-northern-benin-idUSKCN1S91HJ>.

²⁵¹ Lori-Anne Thérout-Benoni and Nadia Adam, “The expansion of extremism shows the flaws in current strategies and the need to rethink regional responses”, Institute for Security Studies, 5 June 2019, available at https://issafrica.org/iss-today/hard-counter-terrorism-lessons-from-the-sahel-for-west-african-coastal-states?utm_source=BenchmarkEmail&utm_campaign=ISS_Today&utm_medium=email.

²⁵² Voice of America Afrique, “Protestation à Bamako devant le nouveau QG de la force du G5 Sahel”, 23 May 2019, available at <https://www.voaafrique.com/a/mali-protestation-a-bamako-devant-le-nouveau-qg-de-la-force-du-g5/4929141.html>; see also at <https://www.rti.ci/info/afrique/24595/mali-protestation-a-bamako-devant-le-nouveau-qg-de-la-force-du-g5-sahel>.

²⁵³ Le Républicain, “Nouvelle manifestation contre l’installation du siège du G5 Sahel à Bamako: ‘Nous ne voulons pas être la cible des terroristes qu’ils ont fuis à Sévaré’”, 17 June 2019, available at <https://www.maliweb.net/insecurite/nouvelle-manifestation-contre-linstallation-du-siege-du-g5-sahel-a-bamako-nous-ne-voulons-pas-etre-la-cible-des-terroristes-quils-ont-fuis-a-sevare-2824044.html>.

²⁵⁴ Meeting with the United Nations Office on Drugs and Crime, Dakar, 23 May 2019.

²⁵⁵ Atlasinfo.fr, “Le président nigérien Mahamadou Issoufou, à la tête de la CEDEAO”, 30 June 2019, available at https://www.atlasinfo.fr/Le-president-nigerien-Mahamadou-Issoufou-a-la-tete-de-la-CEDEAO_a101789.html.

176. The ECOWAS forces in Guinea-Bissau assisted the national police in securing the 789 kg cocaine seizure on 9 March 2019.

VII. Recommendations

177. The Panel recommends that the Security Council Committee established pursuant to resolution 2374 (2017) concerning Mali:

(a) Urge the Government of Mali and the Plateforme and CMA armed groups to sign without delay a revised road map with a clear, realistic and binding timeline;

(b) Encourage the Technical Commission on Security to collect and maintain a centralized database of incidents related to ceasefire violations and breaches of Technical Commission regulations regarding movements by compliant armed groups of vehicles and transport of collective weapons, and to systematically report such violations to the Agreement Monitoring Committee;

(c) Urge the Agreement Monitoring Committee to continue to monitor access constraints and the security of humanitarian personnel in areas under the control of compliant armed groups and review issues related to the imposition by compliant armed groups of logistical and transport providers on humanitarian organizations;

(d) Encourage the Economic Community of West African States (ECOWAS) to expand its draft tobacco traceability directive to define unlawful conduct and criminal offences, in line with article 14 of the World Health Organization Protocol to Eliminate Illicit Trade in Tobacco Products, include in the definition of unlawful conduct the transit or re-export of tobacco products that are not in conformity with the regulations of the destination country, in line with decrees adopted in Benin, Burkina Faso, the Niger and Togo in 2016 and 2017,²⁵⁶ and incorporate measures to eliminate illicit trade, in line with article 15 of the WHO Framework Convention on Tobacco Control;

(e) Encourage the West African Economic and Monetary Union to include in any future directive related to tobacco trade definitions of unlawful conduct and criminal offences, in line with article 14 of the Protocol to Eliminate Illicit Trade in Tobacco Products, including the transit or re-export of tobacco products that are not in conformity with the regulations of the destination country, in line with decrees adopted in Benin, Burkina Faso, the Niger and Togo in 2016 and 2017,²⁵⁷ and measures to eliminate illicit trade, in line with article 15 of the WHO Framework Convention on Tobacco Control);

(f) Encourage individual member States of ECOWAS to enact or strengthen criminal legislation to include illicit trade in tobacco products;

(g) Encourage the Joint Force of the Group of Five for the Sahel to operationalize its mandate to fight transnational organized crime by fostering joint cross-border investigations and linking up the work of specialized police officers to force deployments, to enable seizures of contraband goods and arrests of those involved in trafficking, including human trafficking;

(h) Engage with the Government of Algeria to facilitate an official visit by the Panel before the end of its current mandate and stress the importance of replying to

²⁵⁶ Republic of Burkina Faso Joint Decree No. 2017/0281/MCIA/MINEFID of 27 July 2017; Republic of the Niger, Ministry of Commerce Decree No. 050/MC/PSP/DGC/DCI/LCVC of 12 June 2017; Republic of Benin Inter-ministerial Decree No. 016/MISPC/MEFPD/MS/MIC/DC/SGM/DG-CILAS/SA of 4 February 2016; and Republic of Togo Inter-ministerial Decree No. 007/MCIPSPT/MEFPD of 16 February 2016.

²⁵⁷ Ibid.

the letters sent by the Panel requesting additional information on individuals based in Algeria or of Algerian nationality involved in threats to the implementation of the Agreement or in organized crime.

178. The Panel further recommends that the Security Council include in its next resolution concerning the Joint Force of the Group of Five for the Sahel the following language:

(a) Exchange relevant information with the Committee established pursuant to resolution 2374 (2017) and its Panel of Experts, in particular within the framework of the efforts by the Joint Force of the Group of Five for the Sahel to counter the activities of organized criminal groups;

(b) Assist the Committee and its Panel of Experts, and ensure the safety of the members of the Panel and unhindered access, in particular to persons, documents and sites, in order for the Panel of Experts to execute its mandate outside the MINUSMA area of operations.

Annex 1: Table of correspondence sent and received by the Panel from 1 October 2018 to 6 August 2019.

Country/ entity	Number of letters sent	Information fully supplied	Information partially supplied	No answer/ Information not supplied	Pending	N/A, visit accepted
Algeria	1	1				
Burkina Faso	1					1
Cote d'Ivoire	1					
European Commission	1				1	
France/ Barkhane	3	1	1		1	
Guinea-Bissau	1					1
Mali	5			1		4
Mauritania	2 ¹	1		1		1
Morocco	1					1
Niger	1					1
Orange Mali	1			1		
Pres. Sec. Council	2					2
Senegal	1					1
SOBUREX	1			1		
SRS Minusma	2			1		1
Togo	1			1		

¹ The Panel's letter requesting visit and soliciting information were answered in two separate correspondences.

Annex 2: Table of implementation of the 22 March 2018 roadmap of priority activities. Document obtained by the Panel from CSA participant on 28 June 2019.

TACHES INDUITES PAR LA FEUILLE DE ROUTE POUR LA MISE EN ŒUVRE DU CHRONOGRAMME D' ACTIONS PRIORITAIRES,
ENDOSSE PAR LA 23^{ème} SESSION DU COMITE DE SUIVI DE L' ACCORD (CSA) :

N°	Intitulé des actions retenues dans la feuille de route	Échéances	Tâches à effectuer	Responsables	Indicateurs/ Moyens de vérification	État au 14 juin 2019
1*	Parachever la création des collectivités territoriales des régions de Taoudénit et de Ménaka (d'ici la prochaine session de l'Assemblée Nationale).	Avril 2018	<ul style="list-style-type: none"> - Suivre l'approbation par l'Assemblée Nationale des textes adoptés en Conseil des ministres 	<ul style="list-style-type: none"> - Ministère de l'Administration Territoriale et de la Décentralisation - Ministère des Collectivités Territoriales ; - Ministère en charge des relations avec les Institutions ; - Mouvements signataires 	<ul style="list-style-type: none"> ▪ Textes approuvés par l'Assemblée Nationale 	<ul style="list-style-type: none"> ▪ Fait [Loi N0 2018-040 du 27 Juin 2018 portant création des collectivités territoriales dans la région de Taoudénit] ▪ [Loi N0 2018 – 041 du 27 juin 2018 portant création des collectivités territoriales dans la région de Menaka]]
2	Diligenter la création des collectivités des cercles d'Almoustarat et d'Achibogho (après les élections présidentielles et avant les régionales).	Session de l'Assemblée Nationale d'octobre 2018	<ul style="list-style-type: none"> - Élaborer et faire adopter par le Conseil des ministres, les projets de textes de création des collectivités territoriales 	<ul style="list-style-type: none"> - Ministère de l'administration Territoriale et de la Décentralisation - Ministère des Collectivités Territoriales - Mouvements signataires 	<ul style="list-style-type: none"> ▪ Textes adoptés par le Conseil des ministres 	<ul style="list-style-type: none"> ▪ Pas fait
3*	Assurer le fonctionnement effectif des Autorités intérimaires et des Collèges transitoires en les dotant de moyens financiers et matériels, notamment en vue de la fourniture de services sociaux de	Mars-avril 2018	<ul style="list-style-type: none"> - Mettre à disposition les appuis budgétaires ; - Superviser la réalisation des programmes d'urgence ; - Impliquer les autorités intérimaires et les collègues 	<ul style="list-style-type: none"> - Ministère des Collectivités Territoriales ; - Ministère de l'Administration Territoriale et de la Décentralisation - Mouvements signataires 	<ul style="list-style-type: none"> ▪ Mandats budgétaires mis à la disposition des Autorités intérimaires ; ▪ Comptes rendus des diverses rencontres 	<ul style="list-style-type: none"> ▪ Des allocations significatives ont été faites aux régions. À ce jour un cumule d'environ XOF 12 Milliards a été alloué aux AI des 5 régions du nord pour entreprendre la maîtrise d'ouvrage

N°	Intitulé des actions retenues dans la feuille de route	Échéances	Tâches à effectuer	Responsables	Indicateurs/ Moyens de vérification	État au 14 juin 2019	
	base et de leur participation dans l'organisation des élections à venir.		transitoires dans l'organisation des élections à venir			<ul style="list-style-type: none"> En cours au niveau des cercles / dépend de l'investiture formelle des autorités intérimaires : un montant de XOF 862 millions a été mis à la disposition des AI/CT des cercles pour assurer les besoins administratifs et logistiques primaires y compris la conduite des consultations pour la préparation de leurs PAP/ PDSEC respectifs 	
4*	Renforcer les capacités du bataillon du Mécanisme Opérationnel de Coordination (MOC) de Gao en le dotant d'armes lourdes.	Mars-avril 2018	<ul style="list-style-type: none"> Doter le bataillon du MOC de Gao en armes lourdes 	<ul style="list-style-type: none"> Ministère de la Défense et des Anciens Combattants ; Mouvements signataires ; Commission Technique de Sécurité (CTS) 	<ul style="list-style-type: none"> Comptes rendus des travaux de la CTS 	<ul style="list-style-type: none"> Fait 	
5*	Mettre en place et rendre fonctionnels les bataillons du MOC de Kidal et Tombouctou en les dotant de moyens logistiques et d'armement (y compris les armes lourdes).	Mars-avril 2018	<ul style="list-style-type: none"> Finaliser et déposer auprès de la CTS les listes des éléments des FAMA et des mouvements signataires devant servir dans les bataillons du MOC de Kidal et de Tombouctou ; Mettre en place les moyens logistiques 	<ul style="list-style-type: none"> Ministère de la Défense et des Anciens Combattants ; Mouvements signataires ; Commission Technique de Sécurité (CTS) 	<ul style="list-style-type: none"> Récépissé du dépôt des listes éléments ; PV de réception des moyens logistiques et des armes ; Comptes rendus des travaux de la CTS 	<ul style="list-style-type: none"> Les combattants des MOCs de Gao, Kidal et Tombouctou ont accompli le processus de DDR accéléré/Intégration. Ils attendent de suivre la formation militaire initiale et la formalisation de cette 	

N°	Intitulé des actions retenues dans la feuille de route	Échéances	Tâches à effectuer	Responsables	Indicateurs/ Moyens de vérification	État au 14 juin 2019	
			et les armements nécessaires au fonctionnement des deux bataillons du MOC			intégration est en cours.	
6*	Selon des modalités à convenir entre les parties, identifier et redéployer les combattants anciennement membres des forces armées et de sécurité conformément à l'Accord.	Mars-avril 2018	<ul style="list-style-type: none"> - Fournir la liste des combattants anciennement membres des forces armées et de sécurité ; - Prendre le texte d'intégration desdits combattants 	<ul style="list-style-type: none"> - Mouvements signataires - Ministère de la Défense et des Anciens Combattants. 	<ul style="list-style-type: none"> ▪ Listes disponibles ; ▪ Textes d'intégration signés ; ▪ Comptes rendus de réunions 	<ul style="list-style-type: none"> ▪ 06 février 2019, Décret fixant les critères d'âge, de formation et de qualification professionnelle exigés pour l'intégration des combattants qualifiés. 	
7*	Procéder au recensement des combattants éligibles à l'intégration ou au programme Désarmement-Démobilisation-Réinsertion (DDR).	Mars-avril 2018	<ul style="list-style-type: none"> - Établir la liste des combattants éligibles à l'intégration ou au programme DDR ; - Prendre un texte de formalisation ; - Définir les appuis à apporter auxdits combattants ; - Mettre les moyens à la disposition desdits combattants 	<ul style="list-style-type: none"> - Ministère de la Défense et des Anciens Combattants ; - Mouvements signataires ; - MINUSMA 	<ul style="list-style-type: none"> ▪ Liste des combattants éligibles à l'intégration ou au DDR ; ▪ Textes d'intégration signés ; ▪ Documents de financement du programme DDR 	<ul style="list-style-type: none"> ▪ Fait. ▪ Le pré enregistrement est prévu pour se terminer le 15 octobre. ▪ Environ 32000 ont été préenregistrés avec environ 15000 armes (chiffre CNDDR) ▪ 5,000 candidats au DDR identifiés dans les régions du centre. 	
8*	Procéder au report de l'élection des conseillers des Collectivités territoriales, l'organiser après les	Avril 2018	<ul style="list-style-type: none"> - Prendre un texte de report desdites élections ; - Organiser une réunion d'information 	<ul style="list-style-type: none"> - Ministère de l'Administration Territoriale et de la Décentralisation - Mouvements signataires 	<ul style="list-style-type: none"> ▪ Texte de report adopté et publié ; ▪ Compte rendu des rencontres avec la classe politique 	<ul style="list-style-type: none"> ▪ Fait 	

N°	Intitulé des actions retenues dans la feuille de route	Échéances	Tâches à effectuer	Responsables	Indicateurs/ Moyens de vérification	État au 14 juin 2019	
	législatives et recommander d'en informer l'ensemble de la classe politique.		avec la classe politique et la presse				
9*	Adopter en Conseil des ministres le projet de décret déterminant les modalités de transfert des services déconcentrés de l'État aux Collectivités territoriales relevant de leurs domaines de compétences (transfert des ressources humaines, financières et matérielles).	Avril-mai 2018	<ul style="list-style-type: none"> - Finaliser le décret déterminant les modalités de transfert des services déconcentrés de l'État ; - Faire adopter en Conseil des ministres ledit décret ; - Prendre les arrêtés de transfert effectif desdits services 	<ul style="list-style-type: none"> - Ministère de l'administration territoriale et de la décentralisation ; - Autres ministères concernés - Mouvements signataires 	<ul style="list-style-type: none"> ▪ Décret de transfert adopté en Conseil des ministres ; ▪ Arrêtés ministériels signés 	<ul style="list-style-type: none"> ▪ Transfert partiel des compétences (15 compétences sur 42 nécessaires au bon fonctionnement d'une collectivité) 	
10*	Organiser un atelier de haut niveau sur la Réforme du Secteur de la Sécurité (RSS) y compris les concepts de "l'armée reconstituée" et de la "police territoriale".	27-28-29 mars 2018	<ul style="list-style-type: none"> - Finaliser le rapport de l'atelier ; - Mettre en œuvre les recommandations issues de l'atelier de haut niveau 	<ul style="list-style-type: none"> - Primature/CNRSS-CRSS ; - Ministère de la Défense et des Anciens Combattants ; - Ministère de la Sécurité et de la Protection Civile ; - Ministère des Collectivités Territoriales ; - Mouvements signataires 	<ul style="list-style-type: none"> ▪ Rapport final de l'atelier ; ▪ Projet de Stratégie RSS 	<ul style="list-style-type: none"> ▪ Fait 	
11*	Procéder au regroupement assisté (appui alimentaire) des combattants recensés sur les sites de cantonnement retenus par la Commission	25 avril-25 août 2018	<ul style="list-style-type: none"> - Déterminer l'appui alimentaire nécessaire à la prise en charge des combattants regroupés ; 	<ul style="list-style-type: none"> - Ministère de la Défense et des Anciens Combattants ; - Mouvements signataires ; - MINUSMA ; 	<ul style="list-style-type: none"> ▪ Liste des combattants regroupés et assistés à travers l'aide alimentaire ; 	<ul style="list-style-type: none"> ▪ Pas encore commencé 	

N°	Intitulé des actions retenues dans la feuille de route	Échéances	Tâches à effectuer	Responsables	Indicateurs/ Moyens de vérification	État au 14 juin 2019	
	Technique de Sécurité (CTS) en vue des opérations DDR (durée du cantonnement : 45 jours au maximum par combattant).		- Mettre à la disposition des combattants ledit appui alimentaire.	- Commission Technique de Sécurité (CTS)	<ul style="list-style-type: none"> Comptes rendus des travaux de la CTS 		
12*	Procéder à l'intégration dans les forces armées et de sécurité, les services paramilitaires et les fonctions publiques des éléments de mouvements signataires suivant les critères retenus et après harmonisation des visions sur le "concept d'armée reconstituée".	25 avril-15 septembre 2018	<ul style="list-style-type: none"> Soumettre au CNRSS pour adoption les critères d'intégration ; Arrêter les listes des combattants devant intégrer les différents corps d'État ; Prendre un acte (arrêté) d'intégration desdits combattants ; Procéder au renforcement des capacités desdits combattants 	<ul style="list-style-type: none"> Ministère de la Défense et des Anciens Combattants ; Ministère du Travail et de la Fonction publique ; Mouvements signataires ; MINUSMA 	<ul style="list-style-type: none"> Comptes rendus des réunions du CNRSS ; Textes d'intégration des ex-combattants ; Rapports périodiques de la CI Rapports des formations de renforcement des capacités des ex-combattants 	<ul style="list-style-type: none"> 1 423 combattants sur 1 840 prévus ont satisfait au processus ADDR-Intégration. 417 restants suivront le processus lors de la phase de rattrapage L'enregistrement de 900 déserteurs rappelés a pris fin le 31 janvier et certains sont déjà arrivés à Bamako pour le début de la formation. Le mouvement d'arrivée se poursuit. Les 1 840 éléments enregistrés lors de l'ADDR-I suivront une formation de 3 mois en compagnie d'anciens FAMa (600) dans les centres militaires 	
13*	Organiser les élections dans un climat apaisé avec l'implication des	Mai-août 2018	- Associer les mouvements à la préparation et à la tenue des élections à	- Ministère de l'Administration Territoriale et de la Décentralisation ;	<ul style="list-style-type: none"> Document matérialisant le dispositif de sécurisation des 	<ul style="list-style-type: none"> Fait 	

N°	Intitulé des actions retenues dans la feuille de route	Échéances	Tâches à effectuer	Responsables	Indicateurs/ Moyens de vérification	État au 14 juin 2019
	mouvements signataires de l'Accord et faire participer les éléments en cours d'intégration à la sécurisation des opérations électorales selon les modalités à définir entre les parties.		travers notamment la mise en place d'un dispositif de sécurisation des opérations électorales	<ul style="list-style-type: none"> - Ministère de la Sécurité et de la Protection Civile ; - Mouvements signataires ; - MINUSMA 	opérations électorales ; <ul style="list-style-type: none"> ▪ Comptes rendus des rencontres sur les élections 	
14*	Procéder à la réinsertion socio-économique des éléments des mouvements signataires non intégrés.	Août 2018-juillet 2019	<ul style="list-style-type: none"> - Établir la liste des éléments devant bénéficier de la réinsertion socio-économique ; - Élaborer et mettre en œuvre un programme de réinsertion socio-économique 	<ul style="list-style-type: none"> - Ministère de la Défense et des Anciens Combattants ; - Ministère de l'emploi et de la Formation Professionnelle ; - Ministère de la Solidarité et de l'Action humanitaire ; - Mouvements signataires 	<ul style="list-style-type: none"> ▪ Liste des ex-combattants bénéficiaires des projets de réinsertion ; ▪ Rapports périodiques de la CNDDR 	<ul style="list-style-type: none"> ▪ Pas encore commencé
15	Parachever, sur une base consensuelle, la mise en place des Autorités intérimaires au niveau des cercles et au cas par cas pour les communes, dans les régions du Nord du Mali (Tombouctou, Gao, Kidal, Taoudénit et Ménaka).	Avril-décembre 2018	<ul style="list-style-type: none"> - Identifier, de manière consensuelle, les cercles et les communes concernés ; - Élaborer les textes de nomination des Autorités intérimaires ; - Concevoir et mettre en œuvre, avec les mouvements signataires, un programme de mise en place des Autorités intérimaires 	<ul style="list-style-type: none"> - Ministère de l'Administration Territoriale et de la Décentralisation ; - Ministère des Collectivités Territoriales ; - Mouvements signataires 	<ul style="list-style-type: none"> ▪ Textes de nomination signés ; ▪ PV de mise en place des autorités intérimaires 	<ul style="list-style-type: none"> ▪ Sur 24 cercles 21 conseillers ont été nommés (les cercles de Al-Ourche, Foum-Elba et Bou-Djebeha dans la région de Taoudénit sont encore en souffrance) et 21 installés à ce jour. ▪ Au niveau des communes les consultations n'ont pas commencé et une évaluation préliminaire des communes non-

N°	Intitulé des actions retenues dans la feuille de route	Échéances	Tâches à effectuer	Responsables	Indicateurs/ Moyens de vérification	État au 14 juin 2019
						fonctionnelles en a relevé 112 y compris 2 dans la région de Ségou et 16 à Mopti
16	Accélérer le retour des réfugiés, avec l'implication des parties signataires, sur les sites viabilisés et procéder à leur enrôlement au RAVEC, s'il y a lieu.	Septembre-décembre 2018	<ul style="list-style-type: none"> - Procéder au recensement des réfugiés ; - Établir un programme de retour ; - Définir les moyens de réinsertion des personnes volontaires au retour ; - Mettre en œuvre le programme de retour ; - Envisager avec les pays d'accueils la fermeture des camps ; - Procéder à l'enrôlement des personnes réinstallées 	<ul style="list-style-type: none"> - Ministère de la Solidarité et de l'Action Humanitaire ; - Ministère de l'Administration territoriale et de la Décentralisation ; - Mouvements signataires 	<ul style="list-style-type: none"> ▪ Liste de réfugiés de retour ; ▪ Liste des réfugiés enrôlés au RAVEC 	
17	Adopter les projets de textes portant création de la Zone de Développement des régions du Nord du Mali, suite à un atelier de haut niveau qui abordera aussi toutes les questions y afférentes conformément à l'Accord.	Octobre-novembre 2018	<ul style="list-style-type: none"> - Adopter la note conceptuelle sur le processus de création de la Zone de Développement ; - Organiser des voyages d'études et d'échanges d'expériences ; - Élaborer les projets de textes de création de la Zone 	<ul style="list-style-type: none"> - Ministère de l'Aménagement du Territoire et de la Population ; - Ministère de l'Économie et des Finances ; - Ministère du Développement Local ; - Mouvements signataires 	<ul style="list-style-type: none"> ▪ Document de note conceptuelle adoptée ; ▪ Rapports des voyages d'études et d'échanges d'expériences ; ▪ Textes de création de la Zone 	<ul style="list-style-type: none"> ▪ Le processus est en cours. Un premier voyage d'étude et d'échange en matière de création de ZSD effectué en chine 24/11 au 01/12/2018. Visite en Norvège en cours de préparation. ▪ État du Fonds de Développement Durable : 1,5 milliard (2015), 11,5 milliard (dont 1,5 report 2016), 16,05 (dont

N°	Intitulé des actions retenues dans la feuille de route	Échéances	Tâches à effectuer	Responsables	Indicateurs/ Moyens de vérification	État au 14 juin 2019
						11,5 report 2017), 16,05 milliards (2018 cumul reports). Aucune dépense engagée
18	Organiser des consultations sur le découpage administratif en vue de la création de nouvelles circonscriptions.	Octobre-décembre 2018	<ul style="list-style-type: none"> - Procéder à la réalisation d'une étude sur le découpage des régions/cercles concernées ; - Organiser des missions d'information et de sensibilisation ; - Faire une note circonstanciée sur ces découpages ; - Élaborer les projets de textes ; - Faire adopter lesdits projets de textes ; - Mettre en application les projets de textes adoptés 	<ul style="list-style-type: none"> - Ministère de l'Administration territoriale et de la Décentralisation ; - Autres ministères concernés ; - Mouvements signataires 	<ul style="list-style-type: none"> ■ Textes de création des nouvelles circonscriptions adoptés et disponibles 	<ul style="list-style-type: none"> ■ Les gouverneurs ont été nommés à la suite des lois #040 et 041 du 27 juin 2018 portant création des collectivités territoriales des régions de Menaka et de Taoudénit. ■ Un décret suivra créant des circonscriptions électorales sur la base du découpage territorial. Il précisera le nombre de siège à l'assemblée nationale, le nombre de conseillers municipaux, de cercle et régionaux et le cas échéants le nombre de sénateurs. ■ Les consultations pour la réorganisation territoriale ont été organisée entre le 13 et le 17 novembre 2017, elles n'ont pas abouti pour la région de Gao. Les

N°	Intitulé des actions retenues dans la feuille de route	Échéances	Tâches à effectuer	Responsables	Indicateurs/ Moyens de vérification	État au 14 juin 2019	
						conclusions des travaux sont attendues.	
19	Réactiver et diligenter le processus de révision de la Constitution du 25 février 1992 avec la prise en compte des réformes institutionnelles prévues dans l'Accord, notamment la mise en place de la deuxième chambre du Parlement sous la dénomination de Sénat.	Année 2019	<ul style="list-style-type: none"> - Élaborer l'avant-projet de Constitution ; - Organiser des consultations dans toutes les régions sur l'avant-projet de Constitution ; - Finaliser le projet de Constitution ; - Organiser des campagnes d'information et de sensibilisation sur le projet de Constitution ; - Organiser le referendum constitutionnel 	<ul style="list-style-type: none"> - Ministère en charge de la Réforme de l'État ; - Ministère de l'Administration territoriale et de la Décentralisation - Mouvements signataires 	<ul style="list-style-type: none"> ▪ Projet de Constitution ; ▪ Texte de convocation du referendum signé ; ▪ Nouvelle Constitution adoptée et promulguée 	<ul style="list-style-type: none"> ▪ Le processus de révision constitutionnelle a été lancé et le gouvernement s'est engagé à assurer un processus participatif. ▪ Le Comité d'Expert pour la Réforme Constitutionnelle a été nommé par décret le 14 janvier. ▪ Un Cadre consultatif national pour le suivi des réformes a été mis en place (deux formations : politique et technique) et formation politique a tenu ses premières réunions les 24 janvier et 07 Février. ▪ La première réunion de la formation technique du cadre de concertation nationale (CCN) s'est tenue le 11 Février 	
20	Procéder à la relecture, après les élections	Année 2019	<ul style="list-style-type: none"> - Finaliser les projets de lois sur la Libre administration et 	<ul style="list-style-type: none"> - Ministère des Collectivités Territoriales 	<ul style="list-style-type: none"> ▪ Projets de lois soumis à 	<ul style="list-style-type: none"> ▪ N'a pas commencé 	

N°	Intitulé des actions retenues dans la feuille de route	Échéances	Tâches à effectuer	Responsables	Indicateurs/ Moyens de vérification	État au 14 juin 2019
	présidentielles et avant les élections régionales et locales, de la Loi sur la libre administration et du Code des collectivités territoriales conformément à l'Accord, notamment en vue de prendre en charge les questions relatives à la dénomination de l'organe délibérant et celle afférente au statut du chef de l'exécutif régional.		le Code des collectivités ; - Faire adopter lesdits projets de projets lois par le Conseil des Ministres	- Mouvements signataires	l'Assemblée Nationale	
21	Parachever le processus de la Conférence d'Entente Nationale, conformément aux dispositions de l'Accord.	Année 2019	- Organiser des consultations régionales sur la Charte pour la Paix et la Réconciliation Nationale ; - Finaliser la Charte ; - Faire adopter la Charte par le Gouvernement	- Ministère de la Réconciliation Nationale et de la Cohésion Sociale ; - Mouvements signataires	■ Document de Charte adoptée par le Gouvernement	■ La Charte a été approuvée par le Président de la République. ■ L'examen de la loi a été reporté pour permettre des consultations plus larges.

NB : les actions jugées prioritaires et urgentes, au nombre de treize (13), sont marquées d'un Astérix (*) au niveau du numéro d'ordre.

Annex 3: MAA Secretary General decision concerning representation in the CSA. Document obtained by the Panel from a confidential source on 16 April 2019.



Annex 4: 15 April 2019 communique by GATIA Secretary-General declaring Plateforme suspending its participation in the accelerated DDR process. Document obtained by the Panel from a confidential source on 18 April 2019.

PLATEFORME DES MOUVEMENTS DU 14 JUIN 2014 D'ALGER

Communiqué :

La Plateforme des Mouvements du 14 juin 2014 d'Alger informe l'opinion publique nationale et internationale de son regret de constater que le Président du C.S.A s'est immiscé de façon tendancieuse dans un litige interne qui oppose ses membres en tranchant sur des questions qui ne relèvent pas de ses compétences.

La Plateforme a toujours été représentée par des responsables qui font l'unanimité à tous les niveaux, il est donc curieux de constater que le Président du CSA entérine la décision de certaines personnes récusées par les Mouvements pour non respect des idéaux de la Plateforme.

La Plateforme estime que le pacte évoqué par le Président du CSA pour prendre la décision ne lui confère que l'arbitrage sur des questions de mise en œuvre de l'Accord en cas de difficultés entre les parties à l'Accord et non pas de s'ingérer dans les problèmes internes aux mouvements et est surprise de la diligence avec laquelle il a tranché cette délicate question.

La Plateforme pour ce faire ne peut que suspendre sa participation au DDR accéléré en cours ainsi qu'au cadre de concertations de la partie malienne qui ne sera désormais qu'une chambre d'enregistrement de ceux avec lesquels elle ne partage pas la même vision pour le Mali.

Elle reste respectueuse de l'Accord pour la Paix et la Réconciliation au Mali issu du processus d'Alger et annonce la tenue d'une assemblée générale et d'un point de presse dans les 72 heures pour informer l'opinion nationale et internationale de la situation et des mesures qu'elle a prises et de celles qu'elle sera amenée à prendre.

La Plateforme invite le Gouvernement du Mali et le Président du CSA à laisser le règlement des litiges internes aux mouvements concernés qui ont parfois besoin de leurs appuis, mais non des ingérences inappropriées de certains responsables du CSA.

Bamako le 15 Avril 2019

POUR la Plateforme

Fahad Ag Almahmoud

Annex 5: Plateforme manifest of 16 June 2019 effectively splitting the movement. Document obtained by the Panel from a confidential source on 17 June 2019.

LA PLATEFORME DES MOUVEMENTS DU 14 JUIN 2014 D'ALGER.

MANIFESTE

- Constatant que la dégradation des situations sécuritaires, économiques, sociales et politiques a atteint aujourd'hui un seuil de préoccupations jamais égalé dans l'espace sahélo- saharien en général et dans le Centre et le Nord du Mali en particulier.
- Déplorant la désolation, la crainte et le désespoir auprès de la majorité des communautés dont les besoins fondamentaux que sont : la sécurisation, l'alimentation, la santé, l'éducation, la liberté et la dignité sont en régression partout, voire totalement compromis par endroits.
- Convaincus que la récurrence et l'extension de la crise rendent la situation plus compliquée et de plus en plus complexe aboutissant à l'inefficacité de toutes les actions de développement en cours.
- Tenant compte de la nécessité urgente de la mise en œuvre d'actions novatrices et efficaces par toutes les forces vives de la nation pour relever les nombreux défis de l'heure.
- Constatant avec une grande amertume les nombreux retards qu'accuse la mise en œuvre de l'Accord pour Paix et la Réconciliation au Mali issu du processus d'Alger.
- Convaincus de l'incompatibilité totale de nos objectifs d'avec ceux de certains mouvements impliqués dans le processus de Paix,
- Mobilisés par le niveau inadmissible de la violence, le nombre de morts et mus par notre volonté de reconstruire le « vivre ensemble » dans la paix, la démocratie, le progrès et la tolérance.
- Constatant l'absence de regroupements capables d'atteindre les objectifs de paix, de sécurité, de développement socio économique et culturel.

Scanned by CamScanner

- Conscients de la nécessité de création de regroupements composés de femmes et d'hommes honnêtes et engagés pour une paix juste et durable, qui ont fait le choix de l'amélioration et de la diligence de la mise en œuvre de l'Accord pour la Paix et la Réconciliation issu du processus d'Alger.

Décidons de la création au sein des mouvements signataires de la plateforme du 14 Juin 2014 d'Alger d'un nouveau courant pour un sursaut indispensable.

Ce courant de la plateforme fondé et composé par le **GATIA**, le **MAA**, la **CMFPR** reste ouvert à tous les mouvements signataires impliqués dans la mise en œuvre de l'Accord et qui partagent ses objectifs.

Par ce **MANIFESTE**, déclarons solennellement que nous nous départissons de certaines anciennes relations à cause de profondes divergences de vision et d'agendas que la pratique a révélées au fil du temps.

Ce courant a pour objectif global, la promotion des droits humains dans la paix, la démocratie et le progrès.

Ces objectifs spécifiques sont :

- Participer efficacement à la mise en œuvre de l'Accord pour la Paix et la Réconciliation au Mali issu du processus d'Alger dans le respect des diversités socioculturelles.
- Appuyer la sécurisation des personnes et la protection des biens
- Participer à la promotion des droits humains et au respect par les citoyens de leurs devoirs civiques.

La plateforme reste ouverte à tous les mouvements respectueux de l'Accord pour la Paix et la Réconciliation au Mali issu du processus d'Alger qui partage ses objectifs.

La plateforme reste déterminée à s'impliquer avec tous ceux qui sont disponibles pour une mise en œuvre correcte de tous les engagements auxquels elle a souscrit.

Bamako le 16 juin 2019

Ampliations :

- Primature**
- MCSPRN
 - Ministère des Affaires Etrangères
 - Ministère de la Défense
 - HRPR
 - RSSGNU
 - Membres du CSA

Ont signé :

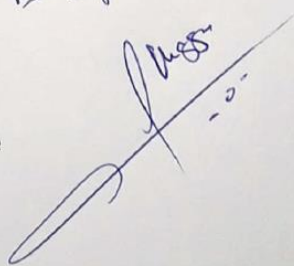
Pour le GATIA

FAHAD AG ALMAHMOUD



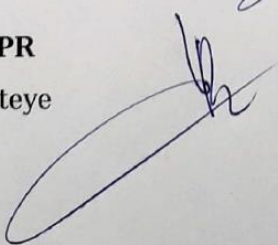
Pour le MAA

Moulaye Ahmed Ould Moulaye



Pour la CMFPR

Alassane Djitteye



Annex 6: 30 January 2019 CMA Decision regarding the administration of Kidal. Document obtained by the Panel from a confidential source on 17 February 2019.



**COORDINATION DES MOUVEMENTS DE L'AZAWAD
(CMA)**

COMITE DIRECTEUR

Décision N° 010/2019/CD-CMA

Portant dispositions générales relatives à la réglementation de certains secteurs.

- Vu la charte de la CMA signée le 20 mai 2016 à Kidal ;
- Vu le règlement intérieur du Comité Directeur adopté le 29 décembre 2016 à Kidal ;
- Vu la nécessité de service ;

Le Président du Comité directeur décide

Pour la mise en œuvre de la politique générale de la CMA qu'adjure sa structuration, la nécessité s'impose de la mise en place d'un arsenal réglementaire régissant la vie courante de la société, adapté à ses cultes, à ses us et coutumes. Cette réglementation fait une classification tripartite des catégories d'infractions à savoir : les contraventions, les délits et les crimes. Les contraventions sont réprimées par les services de répression et en rendent compte au Cadis à travers un procès-verbal (PV). Les délits et crimes ne sont traités que par la justice « ALQADA ».

Il reste entendu que lorsqu'une infraction est commise il faut la faire cesser, l'effacer et la réprimer. Pour les gros porteurs en stationnements interdits de longue durée, les faire dégager par tous les moyens ainsi que les occupants des espaces publics.

NB : Les motocyclistes et les piétons armés sans pièces justificatives seront conduit devant la justice « ALQADA » pour toutes fins utiles. Leurs motos et armes seront détruites.

Cette réglementation régie un certain nombre de domaines non exhaustifs et dont les faits punissables sont ci-après cités par domaine :

Au plan de la circulation routière:

- Le défaut de permis de conduire,
- Le permis de conduire non conforme à la catégorie de l'engin conduit,
- L'excès de vitesse dans les agglomérations,
- Le chargement volumineux,
- Le stationnement sur la voie publique,
- L'Embaras à la voie publique,
- Le rixe à la voie publique,
- Le non respect de dépassement et du sens giratoire,
- Le changement de direction non signalé,
- Le défaut de phares,
- Le phare unique,
- Les feux de signalisation défectueux,
- La surcharge de passagers (Caisse et cabine),
- Le défaut de rétroviseur,
- Le défaut de freint,
- Le support à trois sur des motos,

Au plan des stupéfiants et alcools:

- La consommation et vente des stupéfiants,
- L'incitation et facilitation d'accès à l'usage des stupéfiants au public (liquides ou solides),
- L'exposition des stupéfiants dans les lieux publics (établissement public ou privé)
- La vente et consommation de l'alcool,
- L'incitation, exposition ou publicité des boissons alcoolisées

Au plan des manifestations ou des cérémonies traditionnelles:

- La manifestation, le meeting ou le setting doivent faire l'objet d'une demande écrite précisant la nature et le calendrier de l'évènement, adressée au Bureau Régional de la CMA qui en donnera suite,
- La cérémonie traditionnelle doit faire l'objet d'une demande écrite précisant la nature et les heures de la tenue de l'évènement,
 - Les nocturnes non autorisés,
 - Les tirs dans un lieu public non autorisés (détruire l'arme, déférer l'auteur)
 - Le piéton ou le motocycliste armé dans les agglomérations sans pièces (destruction de son arme et sa moto, déférer le coupable)

Au plan du domaine et du cadastre:

- L'occupation du lieu public pour l'usage d'habitation ou commercial
- Le morcellement ou l'occupation anarchique de parcelles,
- L'occupation de parcelle d'autrui,
- La construction d'un van dépassant 1,5 mètre (suspendu ou terrestre),
- L'occupation des artères principales (usage lucratif)
- L'occupation illégale de l'espace public (rue ou espace),
- L'implantation des ateliers de soudures, menuiseries, garages de motos ou véhicules sans enclos et identification,
- L'implantation des ateliers de soudures, menuiseries, garages de motos ou véhicules sur des espaces publics avec ou sans identification,

Au plan de l'hygiène et du phytosanitaire :

- La vente de produits alimentaires périmés ou toxiques,
- La juxtaposition des aliments à des hydrocarbures dans des magasins ou dans le transport,
- L'implantation des restaurants ou gargotes sur les artères principales de la ville,
- L'implantation de lavages sur les espaces publics sans enclos et sans caniveau,
- Le déversement des déchets solides ou plastiques dans les lieux publics ou privés;

Au plan de la santé :

- Le respect des règles de la déontologie et de l'éthique de la médecine,
- La prescription doit répondre au mal du patient,
- L'obligation de l'enregistrement de toutes les pharmacies et le suivi de leurs sources de ravitaillements en produits,
- Les pharmacies sont tenues au respect de l'hygiène et de la conservation des produits,
- L'utilisation de produits chimiques nuisibles à la santé (mercure, cyanure) dans des endroits susceptibles de porter préjudice à la population ou ses biens,
- L'exploitation des mines dans des espaces réservés pour des travaux d'utilités publiques ou privées.
- La vente ambulante des produits pharmaceutiques et traditionnels,

Au plan du séjour pour les étrangers:

- Chaque étranger doit avoir une pièce d'identité de son pays d'origine,
- Avoir un tuteur local,
- Etre munis d'un permis de séjour de la CMA en cours de validité,
- L'exploitation des mines par des étrangers n'ayant pas de tuteurs locaux,

Les organes de répressions de la CMA concernés sont chargés chacun en ce qui le concerne de l'exécution correcte de la présente décision dans le respect du droit.

Kidal, le 30 janvier 2019

AMPLIATIONS


CEMGA.....01/Exe
 MINUSMA.....01/Info
 Barkhane.....01/Info
 Affichage.....01/Diffusion
 Archives.....01/05Chro



LE PRÉSIDENT DE LA CMA

ALGHABASS AG INTALLA


Annex 7: Letter dated 1 February 2019 by MOC commanders Kidal rejecting the list of medically unfit combatants. Document obtained by the Panel from a confidential source on 15 February 2019.




COMMISSION TECHNIQUE DE SECURITE

MECANISME OPERATIONNEL DE COORDINATION

BATAILLON MIXTE MOC KIDAL



République du Mali
Un Peuple – Un But – Une Foi



Kidal, le 01/02/2019

RAPPORT N°0001/2019-B.M/MOC-KIDAL

Suite à la liste surprenante des éléments du MOC inaptes au sein du processus MOC/DDR accéléré qui circule dans les réseaux sociaux.

Nous vous informons de nos grandes désolations et de nos inquiétudes sur la réussite du processus de paix et de confiance temps souhaité par les parties signataires de l'accord pour la paix et la réconciliation issus du processus d'Alger et de la communauté internationale.

Cet agissement de la part du gouvernement ne contribue pas à la paix, au contraire il crée la confusion aux seins des troupes du MOC.

Nous sommes très surpris, après tant d'année d'effort de part et d'autre sans oublier l'appui constant de la communauté internationale pour ramener la paix entre les frères, se voit actuellement volatilisé par cette liste des inaptes.

Nous chefs de bataillon MOC/Kidal ; nous rejetons les résultats de cette visite militaire et nous demandons une commission indépendante de faire une nouvelle visite militaire.

Comme là toujours dit le gouvernement que la paix n'a pas de prix, sur ceux nous le demandons d'honorer ses engagements enfin de mener à bout ce processus tant souhaité par tous les parties signataires.

Nous les éléments du MOC/KIDAL membre signataires de l'accord d'Alger, montrent notre détermination à accompagner le processus mais pas de cette manière.

Pour le gouvernement, tous les éléments du MOC/KIDAL sont considéré inaptes ; pourtant la communauté internationale est témoin de leurs engagements pour le processus DDR accélérée.

Nous considérons que tous les éléments du MOC/KIDAL sont aptes pour le processus d'intégration.



Amplifications :

1- Coordination MOC.....	1
2- Bureaux Régional MOC/KIDA.....	1
3- CMA.....	1
4- Plate-Forme.....	1
5- CTS.....	1
6- Barkhane.....	1
7- Munisma.....	1
8- DDR.....	1

Commandants de Bataillon MOC/KIDAL

CDT Arlikak AGAZOUARA

CDT Azby AGAZOUARA

Annex 8: MOC combatants involved in crimes in Gao

In Gao, the Panel recorded 72 violent incidents between December 2018 and May 2019, as opposed to 57 between June and November 2018.² Some of these incidents were allegedly perpetrated by MOC and FAMa elements. Findings of the Panel indicate that MOC elements in Gao are abusing their armed status and due to lack of command and control commit crimes against the population and the humanitarian community with impunity.

ICRC vehicle theft

For example, on 30 May at around 10:40, four unidentified armed individuals aboard a sand coloured pick-up vehicle intercepted a white Nissan Patrol vehicle belonging to the ICRC in Gao town. The assailants ordered the two occupants of the ICRC vehicle to disembark, then two of the assailants took the car and drove in direction of Kidal while the two others drove the sand coloured vehicle to a private compound in Gao town. At the compound, the Gendarmerie arrested the two suspects that had fled in the pick-up. The individuals arrested were Inazoudi Ag Kakine, a FAMa soldier, and Moussa Ag Agali, a MOC combatant, both affiliated with GATIA. At the compound GATIA flags were found. Malian authorities identified both men as previously belonging to the FAMa's GTIA 8 battalion.³



FAMA ID card of Inazoudi Ag Kakine

² Panel of Experts Database, on file with the Secretariat.

³ United Nations confidential report, 31 May and 4 June 2019, on file with the Secretariat; Interviews conducted in Gao on 5 and 6 June 2019.



GATIA flags and ammunition found in the private compound in Gao

According to the sequence of events reported to the Panel by Malian authorities in Gao, General Gamou requested the day after the arrest the Gendarmerie commander to release the suspects, request which was denied. Gamou then called the FAMa commander of the Gao region to request his intervention, the FAMa commander called the gendarmerie and requested a transfer of suspects to the FAMa base on the basis of legal jurisdiction, given that the individuals were military it was the competence of military justice. The Gendarmerie commander had no choice but to comply with the request and the suspects were transferred to the FAMa camp.⁴ On 4 June 2019, the suspects were released without charges under the pretext of lack of evidence.⁵ The vehicle was retrieved on 12 June 2019 in Tinzawaten, at 230 kilometres North of Kidal, near the Algerian border. According to CMA, the vehicle was discovered by elements of the recently deployed mobile security unit and was brought to Kidal, where it was handed over to ICRC, the perpetrators were not apprehended.⁶

Defiance of FAMa instructions

On 6 May 2018, at around 23:15, FAMa arrested two men at a checkpoint in Gao town as they tried to force their way through it. The two suspects were detained at the Gendarmerie in Gao. Later that same night 12 members from the GATIA belonging to the MOC entered the premises of the Gendarmerie to violently demand the release of one of these suspects, a GATIA element. One of the detainees escaped while the other was released the day after the incident.⁷ According to the accounts GATIA elements violently compelled the Gendarmerie into releasing the detainee.⁸

In a similar incident, on 19 June 2019 at around 13:00 in Gao, FAMa elements fired warning shots in the direction of a suspicious vehicle whose driver refused to obey instructions to stop. Later, FAMa found the vehicle parked in front of the house of an officer of the MNLA also a MOC element. Three people were arrested and taken to Gendarmerie.⁹ The suspects were later released without charges.¹⁰

⁴ Interviews conducted in Gao on 5 and 6 June 2019.

⁵ Interviews conducted in Gao on 5 and 6 June 2019. United Nations confidential report 4 June 2019, on file with the Secretariat.

⁶ Meeting with CMA leadership, Kidal, 11 June 2019; United Nations confidential report, 17 June 2019, on file with the Secretariat.

⁷ United Nations confidential report 8 May 2019.

⁸ Interviews conducted in Gao on 5 and 6 June 2019.

⁹ United Nations confidential report 20 June 2019, on file with the Secretariat.

¹⁰ Interviews conducted in Gao on 5 and 6 June 2019.

Cattle rustling

On 6 February 2019, 17 heads of cattle stolen by GATIA combatants in the Gourma region were being brought to the cattle market in Waburia, next to Gao city. At a check-point manned by Ganda Izo/CMFPR1 the cattle was recognised as stolen. Ganda Izo combatants detained the two alleged thieves took them to the Gendarmerie in Gao city. On their way GATIA combatants ambushed the pick-up they were driving in Aljanabandia neighbourhood, killing four Ganda Izo combatants in an attempt to release the alleged thieves. One GATIA combatants was also killed.¹¹ The GATIA combatants who attacked the Ganda Izo were using a MOC vehicle.¹² The incident was mediated by the Marabout – Muslim religious leader and teacher – of the community and was never officially investigated.

6/26/2019

GATIA - Home



GATIA

6 February ·

Communiqué du Groupe d'Autodéfense Touareg Imghads et Alliés (GATIA) :

Le mercredi 06 février 2019 aux environs de 13h est survenu un regrettable incident entre des éléments frères de la plateforme .

Cet incident a occasionné des morts et blessés tous membres de la plateforme.

En cette circonstance malheureuse tous les responsables du GATIA présentent leur condoléances les plus attristées aux familles des disparus et souhaitent prompt guérison aux blessés.

Nous sommes profondément choqués par ce regrettable incident malheureux auquel personne ne s' attendait , nous demandons aux uns et aux autres de rester calmes et sereins .

Le Groupe d'Autodéfense Touareg Imghads et Alliés informe l'opinion nationale et internationale qu'il s'est déjà engagé dans un processus de règlement pacifique diligent de la situation .

Gao le 06 février 2019

Amara Ag Hamdouna

GATIA communique deploring the incident

Killing of civilians

On 16 March 2019, armed individuals aboard four pick-up vehicles and under the leadership Ehya Ag Moussa,¹³ MOC element from GATIA, burst into Egaforege village, approximately 20 km west of N'Tillit, Gao Cercle. Reportedly, they beat up an old man and killed two boys of 16 and 17 years, all Fulani, before leaving to Ndaki village. The individual has not been prosecuted or arrested at the time of writing.¹⁴

¹¹ United Nations confidential report 7 February 2019, on file with the Secretariat.

¹² Interviews conducted in Gao 14 and 15 February 2019.

¹³ Initial reports indicated that the name of the MOC element was Yehia Ag Moussa due to phonetic similarity.

¹⁴ United Nations confidential report 20 March 2019, on file with the Secretariat. Interviews conducted in Gao on 5 and 6 June 2019.

Annex 9: Technical note, dated 23 October 2017, on the implementation of the Agreement. Document obtained by the Panel from a confidential source on 16 February 2018.

MINISTRE DE L'ECONOMIE ET DES FINANCES
SECRETARIAT GENERAL

REPUBLIQUE DU MALI
Un Peuple - Un But - Une Foi

NOTE TECHNIQUE

Relative au point sur la mise en œuvre de l'Accord pour la Paix et la Réconciliation

La mise en œuvre du volet économique de l'Accord pour la Paix et la Réconciliation au Mali s'est concentrée sur la mise en œuvre des actions intérimaires et de court terme portant sur :

- l'organisation de la conférence d'appel de fonds le 22 octobre 2015 à Paris (Cf article 37 de l'Accord);
- l'identification des besoins des populations en matière de relèvement rapide, de réduction de la pauvreté et de développement dans les régions du nord du Mali à travers la mission d'évaluation conjointe réalisée par la Banque mondiale, la Banque africaine de Développement, la Banque islamique de Développement (Cf article 36 de l'Accord);
- l'opérationnalisation des Agences de Développement Régional (ADR) (cf article 40) ;
- la mise en œuvre des contrats-plans Etat-régions dont dans deux (2) régions du nord (Tombouctou et Kidal), celui de Gao est prévu en 2017 (cf article 41) ;
- l'opérationnalisation des régions de Taoudéni et de Ménaka
- les discussions sur les ressources et la portée du Fonds de Développement Durable (cf article 34),
- l'opérationnalisation de la Commission nationale Démobilisation, Désarmement et Réinsertion (CN/DDR) et de la Commission Intégration.

Pour la mise en œuvre de ces actions, il a été consacré un budget de 44,377 milliards de FCFA en 2015, 44,924 milliards de FCFA en 2016 et 82,034 milliards de FCFA en 2017 dont le détail est donné dans le tableau suivant :

Budget en 2015	Budget en 2016	Budget en 2017
<ul style="list-style-type: none"> - l'opérationnalisation des Agences de Développement Régional, pour 1,200 milliard ; - la mise en œuvre des Contrats-Plans Etat/Région, pour 0,830 milliard; - la mise en œuvre du Programme d'Urgence pour la Relance du Développement des régions du nord (PURD), pour 13,195 milliards. - la provision au titre du Fonds de Développement Durable, pour 9,166 	<ul style="list-style-type: none"> - l'opérationnalisation des Agences de Développement Régional, pour 1,543 milliards ; - la mise en œuvre des Contrats-Plans Etat/Région, pour 2,000 milliards; - la mise en œuvre du Programme d'Urgence pour la Relance du Développement des régions du nord (PURD) , pour 7,7 milliards. - la provision au titre du Fonds de Développement Durable, pour 30,820 milliards de FCFA, - les dépenses liées à l'organisation du référendum et des élections communales, pour 7,184 milliards de FCFA; - le programme de Désarmement, Démobilisation et Réinsertion, pour 1,5 milliard de FCFA ; - l'opérationnalisation des régions de Ménaka et de Taoudéni, pour 1,5 	<ul style="list-style-type: none"> - les Agences de Développement Régional pour 1,746 milliard de FCFA ; - le contrat Etat/Région pour 4,400 milliards de FCFA, - le Programme d'Urgence pour la Relance du Développement des Régions du Nord pour 7,700 milliards de FCFA; - les élections régionales et communales pour 28,400 milliards de FCFA ; - le Fonds de Développement Durable pour 32,920 milliards dont 5,000 milliards de FCFA pour le Projet TAOUSSA ; - l'opérationnalisation des régions de Taoudéni et de Ménaka pour 3,658 milliards de FCFA ; - prise en charge de la Commission Vérité, Justice et Réconciliation pour 2,066 milliards de francs CFA ;

milliards de FCFA dont 0,166 milliard de FCFA pour le Projet TAOUSSA ; - les dépenses liées à l'organisation du référendum et des élections communales, pour 17,000 milliards de FCFA. - prise en charge de la Commission Vérité, Justice et Réconciliation pour 1651 168 000 FCFA milliards de francs CFA ; - opérationnalisation du Ministère de la Réconciliation Nationale, pour 1 134 596 000 FCFA ;	milliard de FCFA ; - Prise en charge des activités du fonctionnement du Comité d'Experts pour la révision de la Constitution pour une durée de 6 mois, pour 200 000 000 FCFA ; - Prise en charge de l'acompte prévu sur les frais d'honoraires d'un avocat sur les travaux de révision de la Constitution du Mali, pour 163 989 250 FCFA ; - prise en charge de la Commission Vérité, Justice et Réconciliation pour 1 666 052 000 FCFA ; - opérationnalisation du Ministère de la Réconciliation Nationale, pour 997 212 000 FCFA ; - Prise en charge des activités de mise en place des autorités transitoires dans les Collectivités Territoriales des Régions du Nord, pour 650 139 258 FCFA.	- opérationnalisation du Ministère de la Réconciliation Nationale, pour 873 949 000 FCFA ; - Prise en charge des frais engendrés par la prorogation de la durée des travaux du Comité d'Experts pour la Révision de la Constitution du 01 janvier 2017 au 30 juin 2017, soit six (6) mois de fonctionnement, 106 millions FCFA ; - Prise en charge du reliquat des honoraires dus à Me Marcel CECCALDI, Avocat, dans le cadre de sa prestation de service relative à la réforme constitutionnelle, pour 163 989 250 FCFA ; - Prise en charge du marché relatif à la centrale de Kidal par fourniture et l'installation de deux (02) groupes électrogènes de 800 et 600 KVA pour 2 698 149 999 FCFA ; - Financement des Mécanismes Opérationnel de Coordination (MOC) de Tombouctou et de Kidal, pour 6 milliards de FCFA ; - Prise en charge des marchés de réhabilitation des équipements du système d'adduction d'eau potable de la ville de Kidal par la reprise en fonte de la canalisation de refoulement des forages au château d'eau de 500 mètre-cube, pour 2 139 900 000 FCFA
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En termes de réalisation des actions de mise en œuvre de l'Accord pour la Paix et la Réconciliation Nationale, les crédits d'un montant total de **134 773 598 763 FCFA** ont été mobilisés.

La situation par année est résumée dans le tableau ci-dessous :

(En milliards)					
Exercice 2015		Exercice 2016		Exercice 2017	
Prévisions	Réalisations	Prévisions	Réalisations	Prévisions	Réalisations
44,377	35,410	55,924	39,639	82,034	59,73

Du juin à octobre 2017, la mobilisation de dans le cadre de la mise en œuvre de l'Accord pour la paix et la Réconciliation Nationale a atteint le montant de **18,414 milliards de FCFA**.

En outre, la prise en charge des différents Comités et Commissions (CSA, CN-DBR, CI, CRSS,...) a été assurée à hauteur de **3 476 952 996 FCFA** comme l'indique le tableau ci-après :

Objet	Montant
Paiement de la prestation de l'Agence Nationale de Communication pour le Développement (ANCD) dans le cadre de la mise en œuvre de l'Accord pour la Paix et la Réconciliation au Mali	99 680 000
Prise en charge des besoins en ressources de fonctionnement de la Commission "Intégration au niveau du Ministère de la défense et des Anciens Combattants,	441 300 000
Prise en charge de la tranche 2017 de la contribution du Mali au financement du Programme National de Désarmement-Démobilisation-Réinsertion (PNDDR) dans le cadre de la mise en œuvre de l'Accord pour la paix et la Réconciliation	959 020 000
Prise en charge du budget 2017 du Haut Représentant du Président de la République pour la mise en œuvre de l'Accord pour la paix et la Réconciliation	728 326 370
Prise en charge de certaines dépenses liées au fonctionnement du Comité de Suivi de l'Accord d'Alger, à titre de régularisation,	37 400 000
Paiement à titre de régularisation pour le compte du Haut Représentant du Président de la République, des indemnités des membres du Comité de Suivi de l'Accord pour le mois d'avril 2017	40 000 000
Prise en charge à titre de régularisation, du Président de la Coordination des Mouvements de l'Azawad (CMA) et de sa délégation	1 250 469
Prise en charge du projet de budget de la mission de bons Offices dans les Régions de Kidal, Delta Intérieur et de la Boucle du Niger	92 825 600
Prise en charge du Forum prévu à Bamako sur " l'implication des Maitres Coraniques à la Recherche de la Paix et la lutte Contre le Radicalisme", organisé par la Mission de Bons Offices dans les régions de Kidal, du Delta Intérieur et de la Boucle du Niger	17 766 000
Prise en charge des dépenses relatives à la 2ème session du Comité Suivi de l'Accord (CSA) tenue le 10/02/2017 à Bamako	5 229 620
Paiement à titre de régularisation des indemnités des membres du Comité de Suivi de l'Accord pour le mois de mai 2017	40 000 000
Prise en charge des frais de transport et de séjour d'une délégation de la Coordination des mouvements de l'Azawad devant participer à une rencontre de haut niveau à la Primature	15 000 000
Paiement de la facture d'hébergement n°05/04/2017 Impayée à l'occasion de la Conférence d'entente Nationale	8 046 500
Prise en charge du financement des besoins du PC de la Force conjointe du G5 Sahel	273 557 437
Prise en charge complémentaire à titre de régularisation des frais de transport et de séjour d'une délégation de la Coordination des mouvements de l'Azawad devant participer à une rencontre de haut niveau à la Primature	20 000 000
Paiement à titre de régularisation des indemnités des membres du Comité de Suivi de l'Accord pour le mois de juin 2017	40 000 000
Paiement des indemnités des membres du Comité de Suivi de l'Accord pour le mois de juillet 2017	40 000 000
Paiement des primes et indemnités des membres de la Commission d'intégration, pour les mois de juin et de juillet 2017	61 000 000
Paiement des factures d'hébergement et de restauration des membres du Comité de Suivi de l'Accord pour la période de juin à août 2017	40 076 000
Prise en charge des dépenses de la Mission d'Appui à la Réconciliation Nationale et des Equipes Régionales au titre de l'exercice 2017, 1ère tranche	416 475 000
Prise en charge à titre de régularisation d'une avance de trésorerie mise à la disposition du Ministère de la Solidarité et de l'Action Humanitaire suivant la lettre N°0261/MEF/SG du 10/03/2016 à titre d'appui à certaines populations de Kidal	100 000 000
TOTAL	3 476 952 996

Bamako, le 23 octobre 2017
 P/Le Directeur Général/PO
 Le Directeur Général Adjoint

Bakary COULIBALY
 Inspecteur des Finances

Annex 10: Technical note, dated 6 July 2018, on the implementation of the Agreement

MINISTRE DE L'ECONOMIE ET DES FINANCES
DIRECTION GENERALE DU BUDGET

REPUBLIQUE DU MALI
Un Peuple - Un But - Une Foi

NOTE TECHNIQUE

Relative au point sur la mise en œuvre de l'Accord pour la Paix et la Réconciliation

La mise en œuvre du volet économique de l'Accord pour la Paix et la Réconciliation au Mali s'est concentrée sur la mise en œuvre des actions intérimaires et de court terme portant sur :

- l'organisation de la conférence d'appel de fonds le 22 octobre 2015 à Paris (Cf article 37 de l'Accord);
 - l'identification des besoins des populations en matière de relèvement rapide, de réduction de la pauvreté et de développement dans les régions du nord du Mali à travers la mission d'évaluation conjointe réalisée par la Banque mondiale, la Banque africaine de Développement, la Banque islamique de Développement (Cf article 36 de l'Accord);
 - l'opérationnalisation des Agences de Développement Régional (ADR) (cf article 40) ;
 - la mise en œuvre des contrats-plans Etat-régions dont dans trois (3) Régions du nord (Tombouctou, Kidal et Gao : (cf article 41) ;
 - l'opérationnalisation des régions de Taoudéni et de Ménaka ;
 - les discussions sur les ressources et la portée du Fonds de Développement Durable (cf article 34) ;
 - l'opérationnalisation de la Commission nationale Démobilisation, Désarmement et Réinsertion (CNDDR) et de la Commission Intégration.
- **En termes d'inscription**, pour la mise en œuvre de ces actions, il a été consacré un budget de 44,377 milliards de FCFA en 2015 ; 57,008 milliards de FCFA en 2016 ; 81,861 milliards de FCFA en 2017 et 128,402 milliards de FCFA en 2018, soit un montant total de **311,648 milliards de FCFA**. Le détail de ces inscriptions est donné dans le tableau suivant :

Libellés	2015	2016	2017	2018	Cumul
Appui à la mise en œuvre de l'accord (dont le Fond de développement durable FDD)	9,166	32,320	32,920	62,420	136,826
(et le projet TAOUSSA)	0,166	4,400	5,000	3,000	12,566
Programme d'Urgence pour la Relance du Développement des Régions du Nord	13,195	7,700	7,700	7,700	36,295
Agences de Développement Régional	1,200	1,543	1,746	1,746	6,235
Opérationnalisation des régions de Taoudéni et Ménaka	0,000	1,500	3,755	3,900	9,155
Elections régionales et communales/ Référendum	17,00	9,184	28,400	45,000	99,584
Contrat-plans Etat/Région ou District	0,830	2,000	4,400	4,400	11,63
Total 1 : Hors Commiss°. Vérité, Justice et Réconciliation	41,391	54,247	78,921	125,166	299,725
Commission Vérité, Justice et Réconciliation (CVJR)	1,851	2,066	2,066	2,241	8,224
Ministère de la Réconciliation Nationale (opérationnalisat°)	1,135	0,695	0,874	0,995	3,699
Total 2 : Commiss°. Vérité, Justice et Réconciliation	2,986	2,761	2,94	3,236	11,923
TOTAL GENERAL (1+2)	44,377	57,008	81,861	128,402	311,648

NB. : Pour plus de lisibilité et de cohérence des données chiffrées, ce tableau remplace celui des notes précédentes. Les écarts entre ces données sont présentés et expliqués en détails au document annexé.

En termes de réalisation des actions de mise en œuvre de l'Accord pour la Paix et la Réconciliation nationale, les crédits d'un montant total de **142,957 milliards de Francs CFA** ont été mobilisés.

La situation par année est résumée dans le tableau ci-dessous :

(En milliards)

Exercice 2015		Exercice 2016		Exercice 2017		Exercice 2018	
Prévisions	Réalisations	Prévisions	Réalisations	Prévisions	Réalisations	Prévisions	Réalisations
44,377	35,410	57,008	39,639	81,861	59,730	128,402	8,178

Il est à noter que, la prise en charge des différents Comités et Commissions (CSA, CN-DBR, CI, CN-RSS,...) a été assurée à hauteur de **9 476 952 996 FCFA** en 2017 et **6 177 865 758 FCFA** en 2018 comme l'indique le tableau ci-après :

Objet	Montants	
	2017	2018 (prov.)
Paiement de la prestation de l'Agence Nationale de Communication pour le Développement (ANCD) dans le cadre de la mise en œuvre de l'Accord pour la Paix et la Réconciliation au Mali	99 680 000	-
P/c des besoins en ressources de fonctionnement de la Commission d'intégration au niveau du Ministère de la défense et des Anciens Combattants,	441 300 000	3 393 410 000
P/c de la tranche 2017 de la contribution du Mali au financement du Programme National de Déarmement-Démobilisation-Réinsertion (PNDDR) dans le cadre de la mise en œuvre de l'Accord pour la paix et la Réconciliation	959 020 000	-
P/c du budget du Haut Représentant du Président de la République pour la mise en œuvre de l'Accord pour la paix et la Réconciliation	728 326 370	658 495 254
Prise en charge de certaines dépenses liées au fonctionnement du Comité de Suivi de l'Accord d'Alger, à titre de régularisation,	37 400 000	-
Paiement à titre de régularisation pour le compte du Haut Représentant du Président de la République, des indemnités des membres du Comité de Suivi de l'Accord pour le mois d'avril 2017	40 000 000	-
P/c à titre de régularisation, du Président de la Coordination des Mouvements de l'Azaouad (CMA) et de sa délégation	1 250 469	-
Prise en charge du projet de budget de la mission de bons Offices dans les Régions de Kidal, Delta Intérieur et de la Boucle du Niger	92 825 600	-
P/c du Forum prévu à Bko sur "l'implication des Maîtres Coraniques à la Recherche de la Paix et la lutte Contre le Radicalisme", organisé par la Mission de Bons Offices dans les régions de Kidal, du Delta Intérieur et de la Boucle du Niger	17 766 000	-
Prise en charge des dépenses relatives à la 2ème session du Comité Suivi de l'Accord (CSA) tenue le 10/02/2017 à Bamako	5 229 620	-
Paiement à titre de régularisation des indemnités des membres du Comité de Suivi de l'Accord pour le mois de mai 2017	40 000 000	-
P/c des frais de transport et de séjour d'une délégation de la Coordination des mouvements de l'Azaouad devant participer à une rencontre de haut niveau à la Primature	15 000 000	-
Paiement de la facture d'hébergement n°05/04/2017 impayée à l'occasion de la Conférence d'orientation Nationale	8 046 500	-
Prise en charge du financement des besoins du PC de la Force gte/G5 Sahel	273 557 437	-
Prise en charge complémentaire à titre de régularisation des frais de transport et de séjour d'une délégation de la Coordination des mouvements de l'Azaouad devant participer à une rencontre de haut niveau à la Primature	20 000 000	-
Paiement à titre de régularisation des indemnités des membres du Comité de Suivi de l'Accord pour le mois de juin 2017	40 000 000	-

<i>Paiement des indemnités des membres du Comité de Suivi de l'Accord pour le mois de juillet 2017</i>	40 000 000	-
<i>Paiement des primes et indemnités des membres de la Commission d'intégration, pour les mois de juin et de juillet 2017</i>	61 000 000	-
<i>Paiement des factures d'hébergement et de restauration des membres du Comité de Suivi de l'Accord pour la période de juin à août 2017</i>	40 075 000	-
<i>Pic des dépenses de la Mission d'Appui à la Réconciliation Nat. et des Equipes Rég.</i>	416 475 000	871 000 000
<i>Prise en charge à titre de régularisation d'une avance de trésorerie mise à la disposition du Ministère de la Solidarité et de l'Action Humanitaire suivant la lettre N°0261/MEF/SG du 10/03/2016 à titre d'appui à certaines populations de Kidal</i>	100 000 000	-
<i>Financement des Mécanismes opérationnels de Coordination (MOC) dans les régions de Tombouctou et de Kidal.</i>	6 000 000 000	
<i>Commission la Réforme du Secteur de la Sécurité</i>		1 031 880 000
<i>Comité de Désarmement-Démobilisation-Reinsertion</i>		2 223 080 504
Total	9 476 952 996	8 177 865 758

S'agissant de l'exercice budgétaire en cours, il y'a lieu de noter que les inscriptions budgétaires Hors CVJR s'élèvent en 2018 à **125,166 milliards de FCFA** (et à 128,402 milliards de FCFA dont CVJR) contre 60,521 milliards de FCFA en 2017, soit une augmentation de 64,65 Milliards de FCFA, représentant un taux de 106,81%. Ce taux passe à 127,40% en tenant d'augmentation considérable reflète les efforts fournis par le Gouvernement du Mali en vue d'instaurer une paix durable et définitive. Ces inscriptions sont destinées à la prise en charge des dépenses relatives : i) au Fonds pour le Développement Durable (FDD) pour 40,000 milliards de FCFA, ii) au Programme d'Urgence pour la Relance du Développement des Régions du Nord pour 7,700 milliards de FCFA, iii) aux Agences de Développement Régional pour 1,746 milliard de FCFA, iv) à l'opérationnalisation des régions de Taoudénit et de Ménaka pour 3,900 milliards de FCFA, v) à l'organisation des élections pour 45,000 milliards de FCFA, vi) à la mise en œuvre des contrat-plans Etat/Région pour 4,400 milliards de FCFA.

Il y'a lieu de rappeler également que le processus d'opérationnalisation du FDD n'est pas totalement achevé. La loi de création et son décret d'application sont respectivement, promulgué et signé. Cependant, les arrêtés fixant les modalités d'organisation et de fonctionnement des Comités de pilotage et de Gestion, ainsi que celui fixant les modalités particulières d'exécution des opérations du Fonds ne sont pas encore élaborés. Toutefois, compte tenu des engagements de l'Etat dans le cadre de la mise en œuvre de l'Accord pour la Paix et la Réconciliation au Mali, certaines dépenses prioritaires et urgentes ont fait l'objet d'avance sur le Fonds à hauteur de **13 413 836 209 FCFA**. Il s'agit principalement des dépenses suivantes :

- des marchés de réhabilitation des équipements du système d'adduction d'eau potable de la ville de Kidal par la reprise en fonte de la canalisation de refoulement des forages au château d'eau de 500 mètre-cube, pour 2 139 900 000 FCFA ;
- du marché relatif à la centrale de Kidal par la fourniture et l'installation de deux (02) groupes électrogènes de 800 et 600 KVA pour 2 698 149 999 FCFA ;
- du marché de fourniture et d'installation de quatre (04) groupe électrogènes dans le cadre de l'électrification des villes de Ménaka et de Gourma Rharhous pour 561 444 000 FCFA ;
- du financement du Projet de TAOUSSA pour 2 738 461 770 FCFA en 2016 ; 3 275 880 440 FCFA en 2017 et de l'inscription de 3 000 000 000 FCFA en 2018.

Bamako, le 06 juillet 2018
Le Directeur Général,

Sidiki TRAORE
Chevalier de l'Ordre national

Annexe : le tableau de rapprochement des inscriptions des notes antérieures et présentes

N°	Libellés	2016			2017		
		Anc. (1).	Nouv. (2).	Ecart (3=1-2).	Anc. (1).	Nouv. (2).	Ecart (3=1-2).
1	Appui à la mise en œuvre de l'accord (dont le projet TAOUSSA)	30,820 2,900	32,320 4,400	-1,500 -1,500	32,920 5,000	32,920 5,000	0,000 0,000
2	Programme d'Urgence pour la Relance du Développement des Régions du Nord	7,700	7,700	0,000	7,700	7,700	0,000
3	Agences de Développement Régional	1,543	1,543	0,000	1,746	1,746	0,000
4	Opérationnalisation des régions de Taoudéni et Ménaka	1,500	1,500	0,000	3,658	3,755	-0,097
5	Elections régionales et communales/ Référendum	7,184	9,184	-2,000	28,40	28,40	0,000
6	Contrat-plans Etat/Région ou District	2,000	2,000	0,000	4,400	4,400	0,000
7	Autres provisions (dont le projet TAOUSSA)	0,000	0,000	0,000	0,000	0,000	0,000
		0,000	0,000	0,000	0,000	0,000	0,000
8	Total 1 : Hors Commiss°. Vérité, Justice et Réconciliation	50,747	54,247	-3,500	78,824	78,921	-0,097
9	Commission Vérité, Justice et Réconciliation	1,666	2,066	-0,400	2,066	2,066	0,000
10	Ministère de la Réconciliation Nationale (opérationnalisat°)	0,997	0,695	0,302	0,874	0,874	0,000
11	Total 2 : Commiss°. Vérité, Justice et Réconciliation	2,663	2,761	-0,098	2,940	2,940	0,000
12	Programme de Désarmement, Démobilisation et Réinsertion	1,500	0,000	1,500	0,000	0,000	0,000
13	Prise en charge des activités du fonctionnement du Comité d'Experts pour la révision de la Constitution	0,364	0,000	0,364	0,270	0,000	0,270
14	Mise en place des autorités transitoires dans les Collectivités territoriales des Régions du Nord	0,650	0,000	0,650	0,000	0,000	0,000
15	TOTAL GENERAL	55,924	57,008	-1,084	82,034	81,861	0,173

NB. : les données chiffrées pour l'année 2015 restent inchangées

Commentaire**Au titre des inscriptions de l'année 2016**

Les inscriptions au titre de l'année 2016 des notes précédentes sont inférieures de celles de la présente note de 1,084 Milliard de Francs CFA.

En effet, ces données passent de 55,924 Milliards de Francs CFA dans les anciennes notes à 57,008 Milliards de Francs CFA dans la nouvelle, soit un écart négatif 1,084 Milliard de Francs CFA. Cet écart s'explique par la prise en compte pour les opérations concernées des données chiffrées des réalisations en lieu et place des inscriptions. Il porte sur les lignes du tableau qui suivent :

1- le projet de Taoussa, pour 1,500 Milliard de Francs CFA ;

5- Elections régionales et communales/ Référendum, pour 2 milliards Francs CFA ;

9 -Commission Vérité, Justice et Réconciliation, pour 0,400 Milliard Francs CFA ;

12 - Programme de Désarmement, Démobilisation et Réinsertion pour 1,500 Milliard Francs CFA ;

13 - Prise en charge des activités du fonctionnement du Comité d'Experts pour la révision de la Constitution 0,364 Milliard Francs CFA ;

14 - Mise en place des autorités transitoires dans les Collectivités territoriales des Régions du Nord pour 0,650 Milliard Francs CFA.

Au titre des inscriptions de l'année 2017

Les inscriptions au titre de l'année 2016 des notes présentes sont légèrement supérieures de celles de la présente note de 0,173 Milliard de Francs CFA. En effet, d'un montant de 82,034 Milliards de Francs CFA dans les anciennes notes, elles passent à 81,861 Milliards de Francs CFA dans l'actuelle note, soit cette diminution de 0,173 Milliard de 0,173 Milliard de Francs CFA. Cet écart, s'explique par :

- la non prise en compte de 0,097 Milliard de Francs CFA de crédits inscrits au niveau de l'opérationnalisation des régions de Taoudéni et Ménaka (ligne 4 du tableau) ;
- la prise en charge des données chiffrées des réalisations, en lieu et place de celles des inscriptions, pour un montant de 0,097 Milliard de Francs CFA, au niveau de " Prise en charge des activités du fonctionnement du Comité d'Experts pour la révision de la Constitution" (ligne 13 du tableau).

Annex 11: Letter dated 12 May 2017 from the ministry of national reconciliation to the CVJR. Document obtained by the Panel from a confidential source on 12 June 2019.



Annex 12: Gold mining sites located north of Kidal visited by the Panel on 11 June 2019



Disposal of chemicals (above) used in the last stage of gold extraction (below) in a site located six kilometres north of Kidal, 31QCA2968145217; according to one of the site owner, Baye Ag Miha, the site commission was instructed to comply with CMA regulations regarding disposal of chemicals after a site visit of the Aménokal.





Crushing of stones extracted from a gold mining site before washing process in a site located four kilometres north of Kidal, at 31QCA2984643035



Washing process (with soap) of crushed stones in a site located four kilometres north of Kidal, at 31QCA2984643035



Photograph of Almou Ag Mohamed, spokesperson of the CMA, posted on 28 October 2018 on his social media profile¹⁵, of a mobile washing machinery that was still operating during the Panel's visit on 11 June 2019 at 31QCA3408738257

¹⁵ Accessed on 10 July 2019 at <https://www.facebook.com/photo.php?fbid=1922549771132921&set=pb.100001337492912.-2207520000.1562763758.&type=3&theater>

Annex 13: Information notice on the competence of administration of Kidal released on 25 March 2019.
Document obtained by the Panel from confidential source on 29 April 2019.



Annex 14: 5 April 2019 decision by CMA President Alghabass Ag Intalla to disband the Kidal management office. Document obtained by the Panel from a confidential source on 12 April 2019.



**COORDINATION DES MOUVEMENTS DE L'AZAWAD
(CMA)**

COMITE DIRECTEUR

**DECISION N° 0015/2019/PCD/CMA.
Portant arrêt de toutes les activités du Bureau Régional de la CMA à
Kidal**

Le Président du Comité Directeur

Vu la Charte de la CMA,
Vu le règlement intérieur du Comité Directeur,
Vu la décision la décision portant désignation des membres du Comité
Directeur en date du 28 octobre 2018
Vu désignation portant désignation des membres des Commissions et
Cellules
Vu la décision portant la désignation des membres du Bureau régional de la
CMA
Vu la nécessité du service,

Décide:

Article 1: de l'arrêt de toutes les activités du Bureau Régional de la CMA à Kidal
Jusqu'à nouvel ordre.

Article 2 : Seules les commissions de l'Education, de l'Energie, de l'Eau, de la Santé, de
l'Assagissement continueront à travailler sous l'autorité du Secrétariat Général du Comité
Directeur de la CMA. A ce titre elles le consultent et lui rendent compte de leurs activités.

Article 3 : Toute dérogation à la lettre et à l'esprit de la présente décision exposera les
contrevenants à des sanctions.

Article 4 : La présente décision qui prend effet à compter de sa date de signature et sera
publiée partout ou besoin sera.

Kidal, le 05 avril 2019

AMPLIATIONS

Mouvements/CMA.....03/Info

Bureau Régional.....01/Exe

Archives.....01/05Chro



ALGHABASS AG INTALLA

Scanned by CamScanner

Annex 15: Sequence of events related to conflict in Talataye *commune* as recorded during EMOV missions and copy of the agreement signed by CMA and MSA-D in Tinfadimata on 21 May 2019

1. EMOV mission to Talataye on 6 May 2019 :

Meeting with Mahamat Ag Alhadi, chef de poste MSA-D Talataye, at nine kilometres east of Talataye:

- CMA in Talataye is used as a cover by JNIM commander and IED specialist Abdallah Ag Albakaye.
- February 2019: MSA-D position attacked by Ag Albakaye unit; three MSA-D killed, two vehicles taken, one burnt.
- 3 March 2019: MSA-D decides to launch a major offensive to take back the positions lost in February; 15 CMA killed, one MSA-D wounded.
- Ag Alhadi refutes presence of GATIA during this counter-offensive.
- Present situation on 6 May 2019: eastern Talataye (Talataye 1 / sous-préfecture) under control of MSA-D; western Talataye (Talataye 2 / market) under control of JNIM using CMA flags.

EMOV noted in its report that tension was very high on the day of the mission.

2. EMOV mission to Indélimane on 16 May 2019:

Meeting with Moussa Ag Alhadi, chef de base MSA-D Indélimane:¹⁶

- In January 2019, CMA attacked with four of its pick-up trucks a civilian truck coming from Algeria with commercial goods, all stolen; CMA stole two civilian vehicles north of Talataye, and another one ten kilometres west of Talataye, coming from Agarnadamos.
- Few days after signing the reconciliation agreement, MSA-D base was attacked at Inéhar, 60 kilometres north of Talataye, where five MSA-D were killed, one vehicle burnt and one stolen. While returning from Inéhar, Alhadi's vehicle was hit by an IED, in Talataye, killing two MSA-D elements and wounding four, including himself.
- Early March 2019, several MSA-D check-points around Talataye were attacked, killing three MSA-D, wounding two, one vehicle burnt, two taken, leading Ag Alhadi to retreat to Inouélane.
- Assassination in Ménaka of Karsassotan fraction chief of Inouélane, Mohamed Ag Alkassim, upon order of CMA in Talataye.
- On 3 May 2019, the MSA-D counter-attacked and killed 16 CMA fighters in Talataye; Alhadi retreated again in Inouélane.
- 12 May 2019: CMA attacked MSA-D in Inouélane, killing four MSA-D and an unknown number of civilians, before they could retreat to Indélimane; following this attack, the CMA looted and destroyed shops in Talataye belonging to MSA-D supporter, beat up civilians, and destroyed vehicles; in the following days, five civilians were killed in Oudeina, Talataye, and Inkarana, and the population of Inouélane and Inkarana has fled to Indélimane.

3. EMOV mission to Talataye on 17 May 2019:

Meeting in Tatalaye with Mohammed Assaleh Ishak, alias Mohamed Salah, mayor of Talataye¹⁷:

- On 20 December 2018, Moussa Ag Acharatoumane and CMA's leadership met in Bamako in order to discuss the return of CMA to Talataye.

¹⁶ Were also present: Mohamed Ag Kanin, Alhadi's deputy, Almahdi Ag Mohamed, chef de fraction Kel Azar, and Almahmoud Ag Alkassim, chef de fraction Karassotan.

¹⁷ Also present as part of CMA delegation: Mohamed Ag Erless, chief of CMA political bureau, Aladi Ag Mohamed, chef de base, Youssouf Ag Dagdag and Moustapha Ould Hamdi, military officers, Kanine Ag Omar, Inakatan fraction, and Ahmed El Moctar.

- In order to reopen its military base and political office, the CMA sent a politico-military mission to Talataye on 9 January 2019, the mission was denied access by MSA-D until 20 January 2019.
- On 20 January 2019, meeting between MSA-D and CMA in Talataye; agreement to establish a joint security committee and two commissions: a military commission composed of MSA-D and two CMA, and a political commission comprised of four community representatives from each group.
- From 21 January to 15 February 2019, situation was calm and the different mechanisms established were effective.
- On 15 February 2019, an MSA-D vehicle hit an IED, killing two and injuring four combattants, among which the local commander.
- Salah Ag Ahmed underlined to the EMOV that this IED was not planted by the CMA, but by terrorist armed groups.
- On 16 February 2019, the MSA-D ambushed civilians on the Talataye-Tin Techori axis, killing Attayoub AG Mohamed and Imaha Baye and injuring Aimoussou Ag Mohamed and Albakaye Ag Mohamed).
- On 18 February 2019, the MSA-D then shot at CMA elements manning their position between Talataye west and east.
- On 19 March 2019, terrorist armed groups attacked MSA-D position on the dune located at 16°31.7031, 1°30.4767, between Talataye east and west, killing four combattants.
- Both terrorist attacks were claimed by JNIM on social media.
- Following this attack, the MSA-D received reinforcement from GATIA to prepare reprisals against CMA.
- Despite official denials, members of GATIA were seen during all attacks against CMA in Talataye.
- From 19 to 30 March 2019, tensions was high and on 30 March 2019, the MSA-D retreated to Inouélane and Indélimane, where they were reinforced.
- On 2 May 2019, seven GATIA pick-up trucks came from Djebok, passing by Tamkoutat.
- Salah Ag Ahmed told the EMOV that the GATIA commanders Ahmad Tarangui, currently in Indélimane, and Mohammed Azourou, who was part of MSA-D delegation during meetings with the CMA, were observed as well.
- However, locals from Talataye declared to the EMOV that they only saw Daoussaks elements taking part in the fighting.
- One local man said to EMOV having seen dark-skinned Touaregs from the Iboguilitane community of Ansongo area.
- On 3 May 2019, the CMA was surrounded by MSA-D troops and fighting lasted for about one hour; CMA then retreated to Tin Techori and Tin Fadimata. During the fight, one CMA was killed.
- The same day, MSA-D killed also six civilians in Talataye village, near the meeting point with EMOV (16°31.7887, 1°30.6367): Ahmadou Ag Tahir, Baye Ag Tahir, Mohammed Ag Abdousalam, Abdoulrahman Ag Almouner, Abdoulrahman Ag Moutenane, and Mahmoud Ag Mouneye.
- On 4 May 2019, another civilian, Ahmad Ag Handah was killed three kilometres west of Talataye. The CMA also received reports of numerous shops of CMA supporters in Talataye looted and destroyed.
- On 12 May 2019, the CMA, with reinforcements from Kidal, attacked the MSA-D in Talataye and Inouélane from Tin Techori, killing seven MSA-D combattants.
- Salah Ag Ahmed declared to the EMOV that no official CMA position exists in Tin Techori, but elements often come and go to the village due to its close proximity to Talataye.
- MSA-D retreated to Indélimane and Ménaka.
- Salah Ag Ahmed assured that population of Inouélane should not fear any reprisals from the CMA.

4. EMOV mission to Agardanamos on 29 June 2019:

Meeting in the village Agardanamos with Moussa Ag Alhadi, chef de base MSA-D Indélimane:¹⁸

- On 24 June 2019, a MSA-D convoy from Indélimane escorting a delegation to Gao stopped by Agardanamos to purchase a vehicle.

¹⁸ Escorted by four vehicles and around 30 MSA-D combatants.

- The same day, at around 1500, another convoy led by a vehicle bearing MSA-D flag arrived in Agardanamos; after inquiring the position of the MSA-D zone commander, Moussa Ag Alhadi, the assailants rushed in his direction and started shooting at him, killing four MSA-D combatants and three civilians, four ruminants. They also destroyed one motorbike and looted four.
- MSA-D retreated then to Indélimane.
- MSA-D does not have any permanent presence in Agardanamos but light patrols often come to the area, because local population supports MSA-D, what could be observed by the delegation.
- MSA-D considers that agreement signed with CMA grants them the right to patrol in Agardanamos.

Meeting on a dune nearby Agardanamos with Salah Ag Ahmed, mayor of Talataye and CMA representative:¹⁹

- No permanent presence of armed groups in Agardanamos.
- CMA received information during the night from 23 to 24 June that MSA-D would have a convoy in Agardanamos to prepare an attack.
- On 24 June at 1500, the CMA patrol sent to the area was ambushed by MSA-D in a forest located in the surroundings of Agardanamos. CMA claims one wounded and ten MSA-D killed.
- CMA considers that agreement signed with MSA-D stipulates that MSA-D should stay in the area from Inouélane to Ménaka, while CMA would have been granted responsibility over the area between Talataye and Ansongo.
- The FAMa would be in charge of Indélimane, where both parties could have access.

5. Copy of the original agreement signed on 21 May 2019 in Tinfadimata between CMA and MSA-D:

The Panel obtained a copy of the original agreement signed in Tinfadimata to which both groups are referring to (see section 5). According to an unofficial translation, no repartition of zones is included in it.

¹⁹ Escorted by 12 vehicles and around 60 equipped and well-armed combatants.

Annex 16: Post on social media of Almou Ag Mohamed, HCUA member and CMA spokesperson, denouncing Barkhane's "admission of powerlessness" (*aveu d'impuissance*) following arrest at the HCUA office of Ménaka of CMA elements, including Daoud Ag Midoua



Post not available any more, accessed and retrieved by the Panel on 8 January 2019

Annex 17: Notary declaration Tilemsi Distribution SA²⁰**ANNONCE LEGALE**

Aux termes des statuts et d'une déclaration notariée de souscription et de versement reçus par **Maître BOUBACAR SALAOU**, notaire à Niamey, il a été constitué le 22/08/2016 une société ayant les caractéristiques suivantes:

Dénomination Sociale : Société TILEMSI DISTRIBUTION-SA « TILDIS-SA »

Forme Juridique : SA

Objet : La société a pour objet :

- Recherche exploitation et prospection des ressources minières ;
- Comptoir d'achat et de vente des métaux précieux et semi précieux ;
- Traitement de ressources minières sous toutes ses formes ;
- Importation des machines d'exploitation d'équipements miniers ;
- Vente et location d'équipements miniers ;
- Importation exportation, distribution des hydrocarbures et produits dérivés ;
- Gestion et exploitation des points de vente et de stations d'hydrocarbures et produits dérivés ;
- Transports ;
- Commerce import-export ;
- Commerce général ;
- Génie civil et industriel ;
- Bâtiments Travaux Publics (BTP) ;
- Electricité, plomberie, froid climatisation ;
- Prestation de services et divers ;
- Nettoyage, entretien, hygiène, assainissement ;
- Aménagement hydroagricole ;
- Construction de forages et grands puits ;
- Télécom et nouvelles technologies ;
- Energies solaires et éoliennes etc....

Et généralement, toutes opérations financières, mobilières ou immobilières pouvant se rattacher directement ou indirectement à l'objet, tous travaux nécessaires et accessoires et à toutes les formations similaires ou connexes prévues comme devant être entreprises par la société aux termes des présents statuts.

Siège social : Niamey ; Quartier Banizoumbou, Rue GM 19, Porte 226 ; Tél. +227 96 96 22 11 ; BP : 10.160 (République du Niger).

Capital social : 10.000.000 FCFA.

Gérant : Sont nommés premiers administrateurs :

- Monsieur MAHRI ATTAYE BEN AHMED : PCA
- Monsieur MAHRI MOHAMED BEN AHMED : Gérant.
- Monsieur MOULATI SIDI AHMED BAN KAZOU : Administrateurs.

Durée : 99 ans à compter du 22/08/2016

Dépôt Légal : Dépôt de deux expéditions au Greffe du Tribunal de Grande Instance Hors Classes de Niamey et la société est immatriculée au Registre de Commerce et du Crédit Immobilier sous le numéro **RCCM-NI-NIA-2016-B-2269 du 22/08/2016.**

²⁰ See http://mde.ne/uploads/documents/tildis._-_.pdf, accessed on 8 April 2019

Annex 18: Truck seized in Guinea-Bissau. Photograph taken by the Panel on 23 May in Bissau.



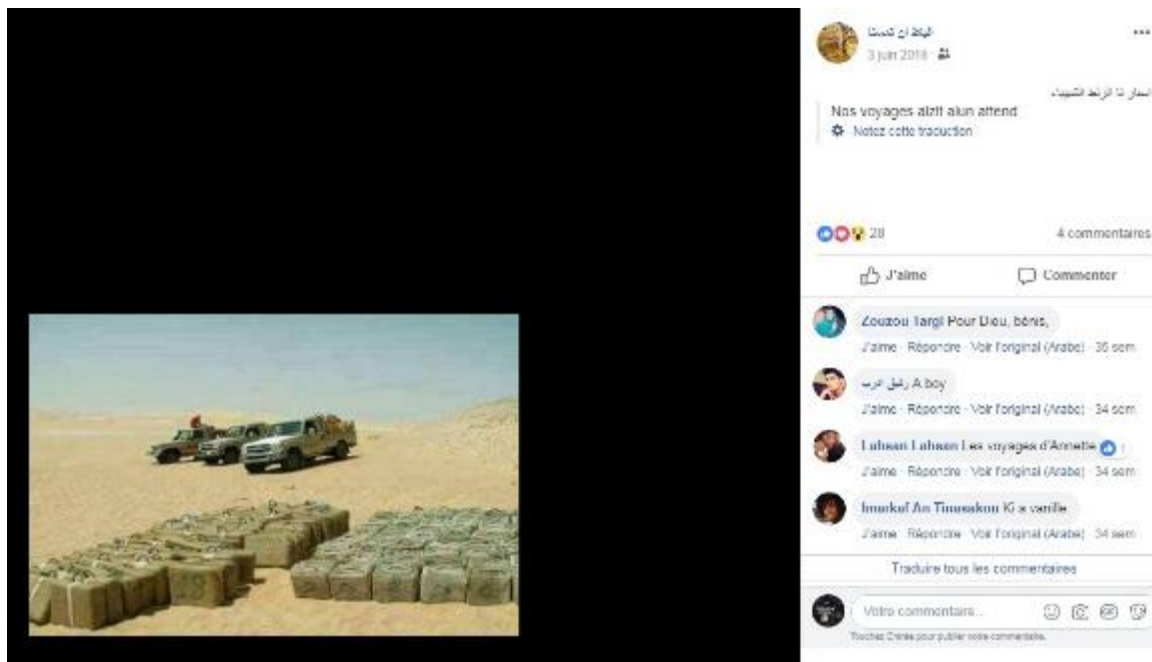
Annex 19: Photograph of Ahmoudou Ag Asriw²¹



²¹ From <https://www.youtube.com/watch?v=sBOyc-7eoZ8>, accessed on 12 July 2019 and confirmed by GATIA representative to be Ag Asriw.

Annex 20: Ganda Koy combatant manning Illegal checkpoint overseen by Baye Coulibaly on the road from Gao to Ansongo. Photograph taken by the Panel on 10 June 2019.



Annex 21: Supposed HCUA Elements convoying American Legend in December 2017²²

²² From https://www.facebook.com/profile.php?id=100022756412883&__tn__=%2Cd%2AF%2AF-R&eid=ARApGyE7SRXamrnPxdvknkdbraPi2irdSnJnM3lx5B_N7USz0tDk5_KeoSooNEoJJPIIKlazars6UPhow&tn-str=%2AF accessed on 3 February 2019



Annex 22: Photographs of the bodies of the Intahaka killings on 24 April 2019, obtained by the Panel from a confidential source on 12 June 2019.



Annex 23: Photograph of Oufène Ag Mohamed, president of the “*Bureau Regional D’administration et Gestion De Kidal*”.²³



²³ Screenshot from video available at <https://youtu.be/nlO80hFS-Bs>

Annex 24: Summons from the President of the Bureau Regional, Oufène Ag Mohamed, to NGOs local and international operating in the Kidal region for meeting on 21 January 2019. Document obtained by the Panel from confidential source on 16 February 2019.



Annex 25: Minutes of meeting held on 21 January in Kidal between NGOs and the Regional Bureau. Document obtained by the Panel from confidential source on 16 February 2019.



COORDINATION DES MOUVEMENTS DE L'AZAWAD
CMA

BUREAU REGIONAL D'ADMINISTRATION ET DE GESTION DE KIDAL

PROCES-VERBAL: DE LA REUNION ENTRE LE BUREAU REGIONAL DE GESTION ET D'ADMINISTRATION DE LA REGION DE KIDAL ET LES ONG A KIDAL :

L'an 2019, le 21 janvier de 09h30 à 11h45 s'est tenu une réunion au siège de la CMA entre le bureau régional et les ONG.

Etaient présent à cette réunion

- Le chef du bureau régional de la CMA ;
- Les représentants des coordinateurs Terrain des ONG ;
- Les délégués de cercles de la région de Kidal ;
- Et d'autres notables de la région ;
- Ordre du jour :

Echange sur le programme de l'année 2019.

Divers :

- Participation dans la planification annuelle des activités des ONG ;
- Informer de façon continue le régional de la CMA de toutes activités menées ;
- Associer les représentations local (cercles) dans la mise en œuvre des activités ;
- Reconnaître au bureau régional son rôle dans le suivi des activités menées par les partenaires ;
- Les ONG doivent soumettre au bureau régional leurs programmes ou domaines d'interventions pour approbation ou rejet.

Fait à Kidal, le 29 janvier 2019

Le chef bureau régional

Annex 26: Photograph of Ahmed Ag Albachar, obtained by the Panel from confidential source on 15 March 2019.



Annex 27: Agreement of Kidal transport companies setting up coordination mechanism for renting vehicles for humanitarian organizations in Kidal. Document obtained by the Panel from confidential source on 15 March 2019.

Protocole d'Entente

CAVRK

Coordination des Agences de Voyage de la région

De KIDAL – CAVRK -

Protocole d'Entente

Ordre du jour :

- Mise en place de la Coordination des Agences de Voyages de la région de Kidal.
- Election du Coordinateur de la CAVRK.

Preamble :

- Considérant l'important besoin logistique (voiture de location) exprimé par les Organisations humanitaires intervenant dans la région de Kidal pour la mise en œuvre de leurs projets d'assistance aux communautés,
- Considérant l'absence de tout organe de coordination administrative des Agences,
- Considérant l'exclusion et la marginalisation de certaines agences au détriment d'autres toujours opérationnelles.

Le 15 janvier 2015 s'est tenue une rencontre des 14 responsables des 14 agences de voyages de la région de Kidal pour mutualiser leurs efforts en créant une Coordination dénommée – **Coordination des Agences de Voyages de la Région de Kidal** - dont le but est de 1/ Mettre en place un organe de gestion administrative; 2/ Défendre les intérêts des différentes agences; 3/ Veiller à l'égalité des chances des agences; 4/ Promouvoir la qualité de leurs services auprès de la clientèle.

Pour une gestion efficiente des ressources la Coordination a décidé d'élaborer un plan de réponse à mesure de satisfaire la clientèle avec professionnalisme et respect de ses principes et procédures.

A cet effet, les dispositions suivantes sont adoptées :

Article 1 : Est élu, Mr Maghtar Ag Attaher, comme Coordinateur de la CAVRK

Article 2 : Référer chaque groupe de deux agences au niveau d'une organisation humanitaire donnée.

Article 3 : Adopter et appliquer un mécanisme de rotation de ces différentes agences au niveau des ONGs partenaires.

Article 4 : Les Agences signataires de ce protocole sont tenues de respecter ses dispositions.



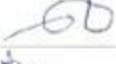



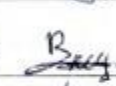







Articles 5 : Le présent protocole entre en vigueur des signatures des 14 agences membres.

Kidal, le 15 janvier 2015

**Le Président de la Coordination
des Agences de Voyages
Kidal - 17 + 0
Le Président**

Protocole d'Entente

CAVRK

AGENCES	PROMOTEURS	TELEPHONES	SIGNATURES
AFfala	medar yttbhe	77858181	
ARAWANE TOUR	cheqaly abd Al-aby	76089323	
Fabouchak	Hamoli ng Balla	91709761	
Awnaf voyage	Brakim Ag Aoufane	76375227	
Fartite	Sidalmar ng Abba	76083308	
Zimitane	Attaher ng. Sidalamine	76082184	
Fardhil	Baton ng DiDi	76277460	
Falimezle	Bitu Ag Imama	76083254	
TAGASTE	Diba ng Ned	76666688	
AZawagh	Hamadlamine	70723056	
Fadamakate	Abelou Lahy	72424580	
Halima Voyage	charif ng	73118171	
Amoukane	Nossa ng Sidalamine	73478670	
Fadounck Esouck	Bilal ng Ousmane	76200660	

Annex 28: Response from the coordination mechanism of national and international NGOs in the Kidal region.
Document obtained by the Panel from confidential source on 16 February 2019.

Coordination des ONGs Humanitaires Nationales et Internationales Intervenant dans la région de Kidal

I. Kidal le 15.02.2019**A****Monsieur le Chef du Bureau Régional d'Administration et Gestion de Kidal**

Objet : Réponse au document (PV, lettre) du 29.01.2019

Monsieur,

Nous, ONG nationales et Internationales réunies en coordination régionale, accusons réception du document/PV du 29 janvier 2019 portant plusieurs recommandations pour servir de base de travail entre le bureau régional et les ONG.

Monsieur le Chef du bureau régional, les ONG attachées à leurs principes humanitaires d'indépendance de neutralité et d'impartialité, de respect aux autorités administratives, politiques et sécuritaires de leur zones d'intervention qu'elles ont obligation d'impliqué, informé de toutes leurs activités/projets mis en œuvre, vous réitèrent leur franche, transparente et inclusive collaboration.

Toutefois, après analyse de vos doléances/recommandations, les ONG ont décidé que les points 2, 3, 4 et 5 vont être respectés bien qu'ils l'ont toujours été. Préciser que pour le 4^e point les démembrements du bureau régional comme les commissions sectorielles peuvent participer aux missions des ONG quand celles-ci sont conjointes, c'est-à-dire quand le besoin de se faire accompagner par des partenaires de mise en œuvre étatique ou de la CMA s'impose. Mais quand la mission est uniquement composée des membres de l'ONG l'obligation de prendre un membre de la commission n'est pas applicable.

Par contre, nous ne pourrions accepter le point 1 pour des raisons de capacités et de stratégies de fonctionnement. Plusieurs ONG n'effectuent pas des consultations pour l'élaboration de leurs projets à venir. Elles restent sujettes à des financements qui sont à la base orientés par les bailleurs vers des secteurs, des zones et des cibles précis. Mais s'il arrive qu'une ONG fasse des évaluations générales pour la compréhension de problème donné comme l'éducation, la WASH, la relance Economique ... les enquêtes ménages, les focus groups, les rencontres avec les communautés et les autorisées sont obligatoires.

Tout en vous rassurant de notre engagement et de notre mobilisation au profit des populations vulnérables de la région de Kidal, nous vous prions de croire à notre franche collaboration.